



AGRICULTURAL RESEARCH INSTITUTE'

PUSA

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE
COUNCIL.

President.

The hon. Mr. M. RUTHNASWAMY, M.A., Bar-at-Law

Deputy President.

M.R.Ry. Diwan Bahadur P. KESAVA PILLAI Avargal, O.I.E.

Panel of Chairmen.

M.R. Ry. A. RAMASWAMI MUDALIYAR Avargal.

Sriman SASIBHUSHAN RATH Mahasayo.

Khan Bahadur HAJI ABDULLA HAJI QASIM SAHIB Bahadur

M.R.Ry. Rai Bahadur T. M. NARASIMHACHARLU Garu.

Secretary to the Council.

M.R.Ry. Rao Bahadur R. V. KRISHNA AYYAR Avargal, B.A., M.L.

Assistant Secretary to the Council.

M.R.Ry. C. SATAGOPA ACHARIYAR Avargal, B.A.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1. Abbas Ali Khan Bahadur ...	Madura and Trichinopoly <i>cum</i> Srirangam, M. Urban.
2. Abdul Hye Sahib Bahadur ...	Ceded Districts, M. Rural.
3. Abdul Wahab Sahib Bahadur, Munshi.	Northern Circars, M. Rural.
4. Abdulla Ghatala Sahib Bahadur (Council Secretary).	North Arcot <i>cum</i> Chingleput, M. Rural.
5. Adinarayana Chettiyyar, T. ...	North Arcot, N.-M. Rural.
6. Anjaneyulu, P.	Guntur, N.-M. Rural.
7. Ankinedu Prasad Bahadur, S. R. Y.	Northern Landholders II, Landholders.
8. Appavu Chettiyyar, D.	Salem, N.-M. Rural.
9. Ari Gowder, H. B.	Nilgiris, N.-M. Rural.
10. Arpudaswami Udayar, S. (Council Secretary).	Tanjore and Trichinopoly <i>cum</i> Madura, Indian Christian.
11. Arumuga Nadar, P. K. S. A. ...	NOMINATED for Nadars
12. Bhanoji Rao, A. V.	Vizagapatam, N.-M. Urban.
13. Biswanath Das Mahasayo, Sriman	Ganjam, N.-M. Rural.
14. Boag, I C.S., G. T.	NOMINATED. (Secretary to Government, Finance Department.)
15. Chidambara Nadar, A.	Madura, N.-M. Rural.
16. Cruz Fernandez, Rao Bahadur.	Ramnad <i>cum</i> Tinnevely (Christian), Indian Christian.
17. Davis, J. A.	NOMINATED for Anglo-Indians.
18. Devendrudu, N.	NOMINATED for Adi-Andhras.
19. Ellappa Chettiyyar, Rao Sahib S.	Salem, N.-M. Rural.
20. Ethirajulu Nayudu, Diwan Bahadur P. C.	Guntur, N.-M. Rural.
21. Evans *, C.S.I., I.C.S., F. B.	NOMINATED. (Secretary to Government, Public Works Department).
22. Gangaraju, M.	Kistna, N.-M. Rural.
23. Ghouse Mian Sahib Bahadur, Muhammad.	Central Districts, M. Rural.
24. Gopala Menon, C.	Southern India Chamber of Commerce, Commerce and Industry.
25. Gopalan, Rao Sahib P. V. ...	NOMINATED for Mukkuvans or Fishermen.
26. Guruswami, L. C.	NOMINATED for Arundhatayas.
27. Haji Qasim Sahib Bahadur, Khan Bahadur Haji Abdulla (Chairman).	South Kanara, M. Rural.
28. Hegde, J. Naganna †	South Kanara, N.-M. Rural.
29. Heggade, D. Manjappa	Do.

* Took his oath on 9th February 1926

† Took his oath on 8th February 1926.

Name of member.	Name and class of constituency.
30. Kesava Pillai, C.I.E., Diwan Bahadur P. (Deputy President).	Anantapur, N.-M. Rural.
31. Khadir Mohiddin Elyas Khan Sahib Bahadur.	East Coast Muhammadan.
32. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura <i>cum</i> Trichinopoly, M. Rural.
33. Koti Reddi, K.	Cuddapah, N.-M. Rural.
34. Krishnan Nayar, Diwan Bahadur M.	Malabar <i>cum</i> Anjengo, N.-M. Rural.
35. Krishna Rao Pantulu, Rao Bahadur A. S.	Nellore, N.-M. Rural.
36. Krishnaswami Nayudu, Rao Bahadur K.	North Arcot, N.-M. Rural.
37. Kuppuswami, J.	Guntur, N.-M. Rural.
38. MacDougall*, Kt. Sir Alexander.	European
39. Madanagopal Nayudu, R. ...	Madras City, N.-M. Urban.
40. Madhava Raja, V.	Malabar <i>cum</i> Anjengo, N.-M. Rural.
41. Madurai, Hony. Lt.	NOMINATED for Adi-Dravidas.
42. Mallesappa, T.	NOMINATED for Lingayats.
43. Marakkayar Sahib Bahadur, Khan Bahadur V. Hamid Sultan.	Tanjore, M. Rural.
44. Marjoribanks, C.S.I., C.I.E., I.C.S., The hon. Mr. N. E.	EX-OFFICIO.
45. Marthandam Pillai, P. N. ...	Tinnevelly, N.-M. Rural.
46. Maruthavanam Pillai, C. ...	Tanjore, N.-M. Rural.
47. Moidu Sahib Bahadur, T. M. ...	Malabar <i>cum</i> Anjengo, M. Rural.
48. Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. .	EX-OFFICIO.
49. Moosa Sait Sahib Bahadur, Muhammad.	Madras, M. Urban.
50. Muhammad Sahib Bahadur, T. N.	Ramnad <i>cum</i> Tinnevelly, M. Rural.
51. Muniswami Nayudu, Rao Bahadur B.	Chittoor N.-M. Rural.
52. Murugappa Chettiyar, Diwan Bahadur A. M.	Nattukottai Nagarathars' Association, Commerce and Industry.
53. Muttayya Mudaliyar, C. ...	Chingleput, N.-M. Rural.
54. Muttayya Mudaliyar, S. ...	Tanjore, N.-M. Rural.
55. Muttu Chettiyar, P. C. ...	Ramnad, N.-M. Rural.
56. Narasimbachari, Rai Bahadur T. M. (Chairman).	Cuddapah, N.-M. Rural.
57. Narasimha Raju, Rao Bahadur C. V. S.	Vizagapatam, N.-M. Rural.
58. Narayanan Nambudiripad, Rao Bahadur O. M.	NOMINATED for Nambudiris.
59. Narayanaswami Pillai, T. M. ...	Trichinopoly, N.-M. Rural.
60. Natesa Mudaliyar, Rao Bahadur C.	Madras, N.-M. Urban.

Name of member.	Name and class of constituency.
61. Nicholson, L. C.	Madras Trades' Association, Commerce and Industry.
62. Noyce *, C.S.I., C.B.E., I.C.S., F. ...	NOMINATED. (Secretary to Government, Local Self-Government Department.)
63. Obalesappa, B.	NOMINATED for Maruthuvakulars (Barbers).
64. Pandrang Rao, I.C.S., V. ...	NOMINATED. (Secretary to Government, Development Department.)
65. Patro, <i>Kt.</i> , The hon. Rao Bahadur Sir A. P. (Minister).	Ganjam, N.-M. Rural.
66. Peddiraju, P.	Kistna, N.-M. Rural.
67. Ponnuswami Nayudu, C. ...	Madura, N.-M. Rural.
68. Ponnuswami Pillai, K. S. ...	NOMINATED for Protestant Christians.
69. Prabhakaran Tampan, K. ...	West Coast Landholders, Landholders.
70. Premayya, G.	NOMINATED for Adi-Andhras.
71. Raghuoandra Ballal, K. ...	NOMINATED for Jains.
72. Raja, Rao Bahadur M. C. ...	NOMINATED for Depressed Classes.
73. Raja of Panagal, The hon. the (Minister).	North Central Landholders, Landholders.
74. Raja of Ramnad	Southern Landholders, Landholders.
75. Rajan, P. T.	Madura, N.-M. Rural.
76. Rajappa Tevar, P. S.	NOMINATED for Kallars.
77. Ramachandra Reddi, B. ...	Nellore, N.-M. Rural.
78. Raman, Rao Bahadur P. ...	NOMINATED for Tiyyas.
79. Ramachari, Rao Sahib K. V. ...	Madura, N.-M. Urban.
80. Ramalinga Chettiyar, Rao Bahadur T. A. ...	Coimbatore, N.-M. Rural.
81. Ramalinga Reddi, C.	Chittoor, N.-M. Rural.
82. Ramaswami Ayyar, K.C.I.E., The hon. Sir C. P.	EX-OFFICIO.
83. Ramaswami Mudaliyar, A. (Chairman).	Chingleput, N.-M. Rural.
84. Rameswara Rao, G.	Anantapur, N.-M. Rural.
85. Ranganatha Mudaliyar, A. ...	Bellary, N.-M. Rural.
86. Rencontre, A. E.	Anglo-Indian.
87. Ross, T. M.	Madras Chamber of Commerce.
88. Ruthnaswamy, The hon. Mr M. (President).	Central Districts (Christian) Indian Christian.
89. Sagaram, P.	NOMINATED for Setti-Balijas.
90. Saldanha, J. A.	West Coast (Christian) Indian Christian.
91. Samuel, J. D.	Northern Districts Indian Christian.
92. Sarabha Reddi, K.	Kurnool, N.-M. Rural.

* Took his oath on 8th February 1926.

Name of member.	Name and class of constituency.
93. Sarvarayudu, K.	Kistna, N.-M. Rural.
94. Sasibhushan Rath Mahasayo, Sriman (Chairman).	Ganjam, N.-M. Rural.
95. Satyamurti, S.	Madras University, University.
96. Sessa Reddi, B. P.	Kurnool, N.-M. Rural.
97. Seturatnam Ayyar, M. R.	Trichinopoly, N.-M. Rural.
98. Sitarama Reddi, K.	South Arcot, N.-M. Rural.
99. Sitayya, M.	Kistna, N.-M. Rural.
100. Sivagnanam Pillai, <i>Kt.</i> , The hon. Diwan Bahadur Sir T. N. (Minister).	Tinnevely, N.-M. Rural.
101. Siva Rao, P.	Bellary, N.-M. Rural.
102. Srinivasa Ayyangar, R.	South Arcot, N.-M. Rural.
103. Srinivasan, Rao Sahib R.	NOMINATED for Adi-Dravidas.
104. Subbarayan, Dr. P.	South Central Landholders, Land- holders.
105. Subrahmanya Pillai, K. Chavadi.	Tinnevely <i>cum</i> Palamcottah, N.-M. Urban.
106. Sundaramurti, Rao Sahib P. V. S.	NOMINATED for Adi-Dravidas.
107. Suryanarayanamurti Nayudu, Diwan Bahadur K.	Cocanada City, N.-M. Urban.
108. Tangavelu Pillai, Rao Sahib T. C. (Council Secretary).	Trichinopoly <i>cum</i> Srirangam, N.-M. Urban.
109. Tanikachala Chettiyar, Rao Bahadur O.	Madras, N.-M. Urban.
110. Uppi Sahib Bahadur, K.	Malabar <i>cum</i> Anjengo, M. Rural.
111. Usman Sahib Bahadur, The hon Khan Bahadur Muhammad.	EX-OFFICIO.
112. Veerian, R.	NOMINATED for Adi-Dravidas.
113. Vellingiri Gounder, V. C.	Coimbatore, N.-M. Rural.
114. Venkatachalam Chetti, Sami	Madras, N.-M. Urban.
115. Venkatachala Padayachi, K.	South Arcot, N.-M. Rural.
116. Venkatarapati Razu, P. C.	Vizagapatam, N.-M. Rural.
117. Venkatarama Ayyar <i>alias</i> V. Pantulu Ayyar.	Tanjore, N.-M. Rural.
118. Venkataramana Ayyangar, C. V.	Coimbatore, N.-M. Rural.
119. Venkatarama Sastriyar, T. R. (<i>Advocate-General</i>).	NOMINATED.
120. Venkataratnam, B.	Godavari, N.-M. Rural.
121. Venkatreddi Nayudu, <i>Kt.</i> , Rai Bahadur Sir K.	Do.
122. <i>Vacant</i>	North Arcot, N.-M. Rural.
123. Virappa Chettiyar, Rao Bahadur P. K. A. Ct.	Ramnad, N.-M. Rural.
124. Windle, Capt. E. G.	Madras Planters.
125. Wood, C. E.	Madras Chamber of Commerce.
126. Zamindar of Kallikota and Atagada Estates.	NOMINATED for backward tracts
127. Zamindar of Kurupam	Northern Landholders I, Land- holders.

SPECIAL MEMBERS.

Name of member.	Purpose for which nominated.
128. Gopalaswami Ayyangar, Rai Bahadur N.	NOMINATED for the Madras District Municipalities Act Amendment Bills and the Madras Village Panchayats Act Amendment Bill.
129. Ramachandra Ayyar, Diwan Bahadur T. R.	NOMINATED for the Malabar Tenancy Bill.
130. Raman Menon, K. P. ...	Do.
131. Symons, Maj.-Genl. T. H. ...	NOMINATED for the Registration of Nurses and Midwives Bill. (Surgeon-General to the Government of Madras.)

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

OFFICIAL REPORT.

Fourth Session of the Second Legislative Council under the Government of India Act.

VOLUME XXVII.

Monday, the 8th February 1926.

The House met at 11 o'clock, Mr. President (the hon. Mr. M. RUTHNASWAMY, M.A., Bar-at-Law) in the chair.

PRESENT:

Ramaswami Ayyar, K.C.I.E., The hon. Sir C. P. Marjoribanks, C.S.I., C.I.E., The hon. Mr. N. E. Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.
Moir, C.S.I., C.I.E., The hon. Mr. T. E. Raja of Panagal, The hon. the Patro, &c. The hon. Rao Bahadur Sir A. P. Sivagnanam Pillai, The hon. Diwan Bahadur Sir P. N.
Abdul Hye Sahib, Mr. Abdul Wahab Sahib, Mr. M. Abdulla Ghatala Sahib, Mr. Adinarayana Chettiyar, Mr. T. Appavu Chettiyar, Mr. D. Arpudaswami Udayar, Mr. S. Arumuga Nadar, Mr. P. K. S. A. Bhanoji Rao, Mr. A. V. Bag, Mr. G. T. Chidambara Nadar, Mr. A. Cruz Fernandez, Rao Bahadur. Ellappa Chettiyar, Rao Sahib S. Echirajulu Nayudu, Diwan Bahadur P. C. Gangaraju, Mr. M. Ghouse Mian Sahib, Mr. Muhammad. Gopala Menon, Mr. C. Gopalan, Rao Sahib P. V. Guruswami, Mr. L. C. Haji Qasim Sahib Bahadur, Khan Bahadur Haji Abd-ul-lah. Hegde, Mr. J. Naganna. Kesava Pillai, C.I.E., Diwan Bahadur P. Khadir Mohidin Elyas Khan Sahib, Mr. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
Koti Reddi, Mr. K. Krishnan Nayar, Diwan Bahadur M. Krishna Rao Pantulu, Rao Bahadur A. S. Krishnaswami Nayudu, Rao Bahadur K. MacDougall, Esq., Sir Alexander. Madanagopal Nayudu, Mr. K.

Madhava Raja, Mr. V. Madurai, Hon. Lient Marakkayar Sahib Bahadur, Khan Bahadur V. Hamid Sultan.
Marthandam Pillai, Mr. P. N. Muruthavaram Pillai, Mr. C. Moidu Sahib, Mr. T. M. Murugappa Chettiyar, Diwan Bahadur A. M. Muttayya Mudaliyar, Mr. C. Muttayya Mudaliyar, Mr. S. Muttu Chettiyar, Mr. P. C. Narasimha Raju, Rao Bahadur C. V. S. Narayanan Nambudiripad, Rao Bahadur O. M. Natesa Mudaliyar, Rao Bahadur C. Noyes, C.S.I., C.I.E., I.C.S., Mr. F. Obalesappa, Mr. B. Pandrang Rao, Mr. V. Pantulu Ayyar, Mr. V. Peddireju, Mr. P. Prabhakaran Tampan, Mr. K. Raghuochanra Ballal, Mr. K. Raja, Rao Bahadur M. C. Raja of Ramnad. Rajan, Mr. P. T. Rajappa, Mr. P. S. Ramachandra Reddi, Mr. B. Raman, Rao Bahadur P. Ramachari, Rao Sahib K. V. Ramalinga Chettiyar, Rao Bahadur T. A. Ramalinga Reddi, Mr. C. Ramaswami Mudaliyar, Mr. A. Rameswara Rao, Mr. G. Ranganatha Mudaliyar, Mr. A. Ross, Mr. T. M. Sagarani, Mr. P. Saldanha, Mr. J. A. Sami Venkatachalam Chetti, Mr. Samuel, Mr. J. D. Saibhushan Rath Mahasayo, Sriman, Satyamurti, Mr. S.

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PRESENT—*cont.*

Seturatnam Ayyar, Mr. M. R.
 Sitarama Reddi, Mr. K.
 Siva Rao, Mr. P.
 Srinivas Ayyangar, Mr. R.
 Srinivasan, Rao Sahib R.
 Subbarayan, Dr. P.
 Subramania Pillai, Mr. K. Chavadi.
 Sundaramurti, Rao Sahib P. V. S.
 Suryanarayana-murti Nayudu, Diwan Baha-
 dur K.
 Symons, Major-General T. H.
 Tangavelu Pillai, Rao Sahib T. C.
 Tanikachala Chettiyar, Rao Bahadur O.

Uppi Sahib, Mr. K.
 Veerian, Mr. R.
 Vellingiri Gounder, Mr. V. C.
 Venkatchala Padayachi, Mr. K.
 Venkatasapati Razu, Mr. P. C.
 Venkatarainana Ayyangar, Mr. C. V.
 Venkatarama Sastri, Mr. T. R.
 Venkataraddi Nayudu, *Kt.*, Rai Bahadur
 Sir K.
 Windle, Capt. E. G.
 Wood, Mr. C. E.
 Zamindar of Kallikota

I

NEW MEMBERS.

The following new Members made the prescribed oath or affirmation of allegiance to the Crown and then took their seats:—

MR FRANK NOYCE.
 M.R.Ry. NAGANNA HEGDE AVARGAL.
 Sir ALEXANDER MACDOUGALL, *Kt.*

II

QUESTIONS AND ANSWERS.

[*Order made by the President of the Madras Legislative Council under Standing Order No. 15 on the 4th December 1924—*

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpellator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question-time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.

Civil Justice.

Official Receiver of Coimbatore.

1208 Q.—MR. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased

(i) to give—

(a) the number of insolvency applications on the file of the Official Receiver of Coimbatore and the number of applications finally disposed of by him in each of the years from 1920 to 1925 (up to date);

(b) the number of applications in which any money has been paid to the creditors in each of those years; and

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(ii) to state whether the permanent Official Receiver of Coimbatore gave evidence before the Civil Justice Committee that it is necessary to make Official Receivers full-time officers, and if so, whether the Government have done anything to give effect to the proposal in all districts or at least in the Coimbatore district?

A.—(i) (a) A statement^a showing the number of insolvency applications received and disposed of in the Coimbatore district during 1920—24 is appended. Information for 1925 is not available.

(b) The information is not available.

(ii) The Government are not aware whether the Official Receiver, Coimbatore, suggested the appointment of full time Official Receivers in his evidence before the Civil Justice Committee.

Mr. C. V. VENKATARAMANA AYYANGAR :—“ With reference to the answer to (i) (b), may I know whether the Official Receiver was asked to give any information and that it was not available, or whether the information has not been asked for? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ We have not yet got the information. If the hon. Member wants it, I may tell him that it will take some time to collect because it involves the compilation of statistics. We shall take steps to collect it if the hon. Member wants it.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ I may say, Sir, with your permission, that the information has been asked for with the purpose of using it at the time of the budget and also to make some proposals as regards the appointment. So I will be very much obliged if the hon. the Law Member will be pleased to get the information though it may come a little late.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Yes, Sir.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ As regards (ii), I do not know if the hon. the Law Member has looked into the evidence given before the Civil Justice Committee. I saw it in the papers, only a brief abstract of it. It will be very useful if the hon. the Law Member peruses it and gives the information asked for.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Sir, this functionary sent a memorandum to the Civil Justice Committee and, so far as our information goes, he did not give oral evidence. But if my hon. Friend says that he did and that he found it in the newspapers, I will have a search made again into the matter. I do not believe he gave any oral evidence but I shall verify it.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ I cannot say whether it was a memorandum or oral evidence. I remember having seen in the papers that this gentleman stated his opinion that the appointment should be made full time.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I may say, Sir, that, so far as that aspect of the matter is concerned, there is a considerable body of opinion before the Civil Justice Committee and in the recorded

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evidence regarding the expediency of having full-time Official Receivers and it was not therefore left to this permanent Official Receiver of Coimbatore to put forward that particular idea."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I am quite aware of that. But I think that such a statement coming from an Official Receiver based on his past experience would be of some value. Therefore it is that I have specially referred to his statement and urge that it may be taken into consideration along with the others."

Depressed Classes.

Use of the public roads in Pa'ghat town by depressed class members.

* 1209 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member be pleased to state what steps Government have taken to remove the disability of certain depressed classes from walking along the public roads in Palghat town?

A.—The attention of the hon. Member is drawn to G.O. Mis. No. 37, Public, dated 9th of January 1925.

Mr. C. RAMALINGA REDDI :—"May I ask whether the Government are taking any steps to see that the intention of this Government Order is carried out or whether they are keeping it only as an expression of pious wishes on their part leaving the parties to fight out either in the streets or in the courts?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"The Government have passed the order and the District Magistrates will presumably follow the intention and the purpose underlying the Government Order."

Mr. R. VEERIAN :—"Sir, may I know whether the Government are aware that the Nayadis and the Pulayas are not even allowed to go to the bazaars and buy things from the public markets but they are made to stand at a great distance and howl like a jackal for things that they want?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"I am prepared to take that statement if it is made with the sense of responsibility which we know always animates the hon. Member. But I do not think the Government has ever compelled anybody to howl like a jackal nor is the Government in a position to prevent that except to this extent, that if they assert their rights and if there is any difficulty, Government may well be called upon to vindicate their position."

Mr. R. VEERIAN :—"May I know what has become of the several resolutions submitted to the Government praying them to cancel G.O. No. 37, Public, dated 9th January 1925, referred to here, because there is a conditional clause in the Government Order to the effect that public streets could be used only if they form the only means of access to markets or business centres?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"Those resolutions have been scrutinized carefully, Sir."

Mr. R. VEERIAN :—"May I know whether the Government Order referred to here has already been superseded by G.O. No. 2660, dated 25th September 1925?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"Notice, Sir."

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Terrorising the depressed classes of Tholar village.

* 1210 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Law Member and the hon. the Home Member be pleased to state—

(a) whether the Government are aware of the fact that the Adi-Dravidas of Tholar village, Vriddbachalam taluk, were terrorised by the caste people, and what steps the village munsif has taken to alleviate the terrorism;

(b) whether the village munsif has reported to the police and his immediate superior the attempts of murder made on a woman Ponnammal;

(c) if so, when the report was made;

(d) why the Sub-Magistrate or Tahsildar has not made any inquiry;

(e) whether it was not a fact that the village munsif was the root cause for these troubles in his village; and

(f) whether the Government propose to make any inquiry as to the conduct of this village munsif in these matters?

A.—(a) The Labour Commissioner's report on this subject is in paragraph 3 of his letter recorded in G.O. No. 2596, Law (General), dated 18th August 1925, which has been placed on Editors' Table.

(b) to (f) The Government have no information but have called for a report.

Irrigation.

Installation of new shutters for the Kistna Anicut.

* 1211 Q.—Mr. S. R. Y ANKINEDU PRASAD: Will the hon. the Law Member be pleased to state—

(a) whether the new shutters for the Kistna Anicut have been installed this year and if so, what effect they have produced upon the storage capacity of the Kistna river water; and

(b) whether the storage capacity is found to have increased the extent of additional land that may be brought under wet cultivation, i.e., under ayacut?

A.—The new shutters have been installed, but it is not possible to say yet what their effect will be. This has been a year of good local rainfall; and in such a year the extra height of the shutters has little appreciable effect. The river discharge depends chiefly on rainfall on the West Coast; and we need experience of two years of poor rainfall in the delta combined with low level in the river before we can get an accurate idea of the effect of the shutters.

Mr. P. PEDDIRAJU:—"Sir, may I know if it is the idea of the Government that no steps will be taken to increase the ayacut under the Kistna delta until the Government consider the matter for over two years?"

The hon. Sir C. P. RAMASWAMI AYYAR:—"That is presumably the idea, Sir. I do not want to pledge myself to a definite answer on that point. I shall have the matter investigated, but so far as I can see now that is the idea."

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The straight cutting of the Keelamangalam channel.

* 1212 Q.—Mr. V. PANTULU AYYAR : Will the hon. the Law Member be pleased to state—

(a) whether the mirasidars of Keelamangalam village, Tanjore district, forwarded any petition to the Chief Engineer for Irrigation and other subordinate Public Works Department officers in charge of irrigation works regarding the straight cutting of the Keelamangalam channel ;

(b) whether it is a fact that the Tanjore Palace Estates' authorities and the mirasidars of Keelamangalam village were not consulted in the matter of the cutting of the abovesaid channel ;

(c) whether it is a fact that the abovesaid channel is a 'c' class one and was also being maintained by the Palace Estates and by the mirasidars ;

(d) whether it is a fact that the police were called in during any stage of the cutting of the channel and, if so, what were the reasons for the course adopted ;

(e) whether the Government received protests from the mirasidars of the village against the said straight cutting of the channel and, if so, what action was taken upon them ; and

(f) whether the Government will be pleased to state whether they could place on the table the final orders passed on the subject by the concerned authorities and, if no final orders have been passed as yet, the stage at which the matter stands at present ?

A.—A petition was received by the Chief Engineer in July and sent to the Superintending Engineer for report. The report has not yet been received, and the Government have no information on the other points mentioned.

Panchayat Courts.*Pending cases in the panchayat court of Rayadrug.*

* 1213 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Law Member be pleased to state—

(a) the number of cases pending disposal in the panchayat court of Rayadrug, Bellary district, and their average pendency ; and

(b) the objections, if any, to their transfer to and disposal by the Munsif's Court at Bellary if the panchayat court is unable to dispose of them early ?

A.—(a) 272 ; 45.

(b) The hon. Member's attention is invited to section 21 of the Madras Village Courts Act, under which the District Munsif may, on the application of any of the parties, withdraw any suit from a village court and try the suit himself or transfer it for trial to any other village court within the local limits of his jurisdiction.

Mr. A. RANGANATHA MUDALIYAR :—"Sir, it is true that the District Munsif may withdraw any suit from a village court, but if he does not, what is the remedy for the litigant ? The panchayat court does not begin enquiry ; the Munsif may not take it into his file or he may not transfer it. What is to be the remedy ?"

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The hon. Sir C. P. RAMASWAMI AYYAR :—“ Sir, I may say that the object of the Government has been to stimulate the work and encourage the activities of the panchayat court as far as possible. I may mention that, so far as the panchayat court is concerned, it was found that some members were evincing little or no interest in its working. Two of its members have been removed because they failed to attend more than five consecutive meetings. The President has been instructed to convene meetings of the court from day to day until the pendency is appreciably reduced. And we shall watch the working of the court and review the whole position at the end of three months so as to see how far the pendency has been reduced and then we shall, if necessary, give further directions as to the removal of more cases. But the hon. Member who has put the question will realize that the question of making these courts function as effectively as possible is as important as the mere transfer to the Munsif ”

Mr. A. RANGANATHA MUDALIYAR :—“ Thanks, Sir.”

Police.

Police officers rewarded for service in the Agency fituri.

* 1214 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) the names of Police officers, both subordinate and gazetted, that were given rewards, promotions or medals for their good services in the Agency fituri noting the nature of the services done by each of these officers meriting such recognition; and

(b) the persons that were awarded the King's Medal noting the special service rendered by them?

A.—(a) & (b) The names of the Police officers—gazetted and subordinate—who received rewards or promotions in connexion with the Agency fituri and the names of officers to whom the King's Police Medal was awarded, with reasons for the awards and promotions, are given in the statement^a appended.

Mr. P. C. VENKATAPATI RAZU :—“ With reference to the statement given in answer to the question, may I know whether the reward is for the arrest or for shooting down Sri Ramaraju ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ If the hon. Member will turn to page 31, he will find the rewards for the arrest of Gunnayya, Mallayya Dora and Alluri Srirama Raju. I do not know what further information is necessary. The reward was for the arrest because the arrest is what matters to the Government.”

Mr. P. C. VENKATAPATI RAZU :—“ Was he shot subsequently or shot at the time of the arrest ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ That is a very different question. I cannot answer that off-hand. All that I can say is that the reward has been given for the arrest of the person.”

Mr. C. RAMALINGA REDDI :—“ Was any inquest held ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Notice.”

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Removal of police station from Perumkulam to Eral in Tinnevely district.

* 1215 Q.—Mr. P. N. MARTHANDAM PILLAI: Will the hon. the Law Member be pleased to state—

(a) why the police station from Perumkulam was removed to Eral in the Tinnevely district ;

(b) whether there was a representation from the people of Perumkulam that it should not be so removed and from the people of Eral that they did not want it ; and

(c) whether there is any administrative inconvenience in removing the police station from Eral to Perumkulam again ?

A.—(a) The police station at Perumkulam has not yet been removed to Eral ; but proposals to that effect have been received and are under consideration. The reasons put forward for the proposed removal of the station to Eral are that Perumkulam is a place of dwindling importance situated at the western extremity of the station limits, whereas Eral is more central in its situation and a place of growing importance.

(b) A representation was received from the people of Perumkulam protesting against the removal of the station to Eral. No representation from the people of Eral has been traced.

(c) Does not arise.

Rewards to Police officers for services during the fituri in the Agency.

* 1216 Q.—Mr. B. VENKATARAMAN: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) the names of subordinate and gazetted officers of the Police department that rendered good services during the fituri in the Agency ;

(b) the rewards, promotions and medals given to each of these officials, noting the services that merited such recognition ; and

(c) whether Oriya Inspector Sriman Upendra Patnaik has been rewarded like the others for catching hold of one of the important rebel leaders named Agi Raju ?

A.—The hon. Member is referred to the answer to question No. 1214.

Government Servants' Conduct Rules.

Application of Government officials for appointments under local bodies.

* 1217 Q.—The RAJA OF RAMNAD: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is permissible for Government officials to apply for appointments under local bodies and private persons ; and

(b) if the answer is in the affirmative to give the rule or authority which governs their conduct in the matter ?

A.—(a) & (b) The hon. Member's attention is invited to subsidiary local rule 4 in Appendix A* and to rule 15 of the Government Servants' Conduct Rules.

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The **RAJA OF RAMNAD** :—" Sir, the rule referred to in the answer does not seem to govern the case where an officer seeks an employment in a local board or under private persons. The rule simply provides that where an officer wants an appointment in any department under government, he should get the permission of the person who gives the appointment and so forth and also refers to officers seeking appointment in Native States. May I ask the hon. the Revenue Member, Sir, why he has given this rule in answer to my question which I may say is very definite ? "

The hon. Mr. N. E. **MARJORIBANKS** :—" I gave this rule because that is the only rule that exists on the subject. The case that the hon. Member refers to will have to be dealt with on the analogy of this rule."

Mr. A. **CHIDAMBARA NADAR** :—" May I know whether any such application as is referred to in the question has been made ? "

The hon. Mr. N. E. **MARJORIBANKS** :—" Not that I am aware of."

Admission of Government servants to Hindu Maha Sabha.

* 1218 Q.—Sriman **SASIBHUSHAN RATH** Mahasayo : Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether the Government have issued a circular to the effect that Government servants shall not become members of the Hindu Maha Sabha, and

(b) the reasons for this order ?

A—Certain instructions have been issued which, being confidential, the Government do not propose to publish.

Sriman **SASIBHUSHAN RATH** Mahasayo :—" May I know if the instructions are to the effect that Government servants shall not become members of the Hindu Maha Sabha ? "

The hon. Mr. N. E. **MARJORIBANKS** :—" I have stated in the answer that the instructions are confidential and I do not propose to publish them. If the hon. Member will be content with a formal answer to the question, the answer is in the negative."

Sriman **SASIBHUSHAN RATH** Mahasayo :—" I wish to have an answer."

The hon. Mr. N. E. **MARJORIBANKS** :—" The answer is in the negative, Sir, to the question."

Mr. T. **ADINARAYANA CHETTIYAR** :—" Do the Government consider that the Hindu Maha Sabhas are political bodies ? " 11-15 a.m.

The hon. Mr. N. E. **MARJORIBANKS** :—" Not that I am aware of, Sir."

Sriman **SASIBHUSHAN RATH** Mahasayo :—" Are the Government aware that in the Assembly, the India Government answered that there was no prohibition against the members of Government or Government servants becoming members of any such Sabhas ? "

The hon. Mr. N. E. **MARJORIBANKS** :—" I am not aware of it, Sir."

Mr. C. **RAMALINGA REDDI** :—" I did not quite hear my hon. Friend and so I may apologise for putting this question, which has been answered previously, that is, if the Government prohibited their servants from becoming members of the Hindu Maha Sabha."

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The hon. Mr. N. E. MARJORIBANKS :—"If that is the whole question, Sir, the answer is in the negative."

Mr. C. RAMALINGA REDDI :—"I do not quite follow my hon. Friend. Either the Government servants are free to become members of the Hindu Maha Sabha or they are not. I just want to know whether the Government have forbidden them from becoming members of this Sabha, or have in any way taken any action with reference to their becoming members of the Sabha?"

The hon. Mr. N. E. MARJORIBANKS :—"The question of their becoming members is a matter which depends on circumstances. In some circumstances there is prohibition, which circumstances exactly I do not propose to say, because, as I said, the instructions are confidential."

Mr. C. RAMALINGA REDDI :—"May I ask my hon. Friend to be a trifle more candid and take us into his confidence to a larger extent? If my hon. Friend is not aware of or is not going into the question whether the Hindu Maha Sabha is a political body or not, I wish to know what may be the circumstances under which it would not be open for officials to become members, and whether, under the circular he has issued, it would be open to some officials in some particular locality to become members, while officials in other localities where circumstances would be different would be debarred from becoming members of the Sabha?"

The hon. Mr. N. E. MARJORIBANKS :—"I have nothing, Sir, to add to the answers already given."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"May I know, Sir, whether this Hindu Sabha is the same as the one over which Lala Lajpat Rai had presided in Bombay and whether the Government have read his presidential address and whether they are aware of the controversy that is going on in that direction?"

The hon. Mr. N. E. MARJORIBANKS :—"I have no knowledge of it, Sir."

Mr. S. SATYAMURTI :—"I find the Swarajists are receding in this House and therefore I am not able to follow what is going on on the front benches. I really want to know what the specific answer of the hon. the Revenue Member is—whether instructions have been issued to Government servants not to join the Hindu Maha Sabha or whether instructions have not been issued. I heard him, in answer to my hon. Friend on my left, saying that the answer was in the negative, which I understood to mean that no such instructions had been issued. I am wanting to know whether Government have issued any instructions to Government servants not to join the Hindu Maha Sabha. They may use the information furnished by the hon. Member below the gangway."

The hon. Mr. N. E. MARJORIBANKS :—"As I endeavoured to explain, Sir, the answer to the unqualified question put to me was in the negative."

Mr. S. SATYAMURTI :—"Then, may I know what are the qualifications and conditions under which the Government have issued instructions prohibiting wholly or partially their servants from joining the Sabha?"

The hon. Mr. N. E. MARJORIBANKS :—"That again is exactly the matter which, as I said, I do not propose to answer."

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Mr. S. SATYAMURTI :—" May I know why, Sir ? "

The hon. Mr. N. E. MARJORIBANKS :—" Because the instructions were confidential, Sir."

Mr. T. ADINARAYANA CHETTIYAR :—" May I ask the hon. the Revenue Member whether in other provinces, similar instructions have been issued ? "

The hon. the PRESIDENT :—" Order, order. We are not concerned with the policy of other provinces."

Indian Civil Service.

Number of European officers that went on leave.

* 1219 Q.—Mr. P. C. VENKATAPATI RAJU : Will the hon. the Member for Revenue be pleased to state—

(a) the number of European officers that went on leave of any kind during each of the three years before the Lee Commission proposals were given effect to ; and

(b) the number of such that went on leave since then ?

4.—(a) & (b) The compilation of the information asked for would involve a considerable amount of labour and the Government are not prepared to undertake it. The information as regards gazetted officers can be obtained from the annual publication entitled ' History of Services of Gazetted Officers '.

Mr. P. C. VENKATAPATI RAJU :—" Will the hon. Member be pleased at least to give us an idea as to whether the number has enormously increased since then ? "

The hon. Mr. N. E. MARJORIBANKS :—" I could not say, Sir. I have not studied that subject."

Land Revenue.

Assignment of lands reserved for depressed classes in the village of Mettupalaiem to a retired sepoy.

* 1220 Q.—Mr. R. VEERIAN : Will the hon. the Member for Revenue and the hon. the Home Member be pleased to state—

(a) whether it is a fact that Survey Nos. 191-A and 191-B (dry lands) were reserved for depressed classes for assignment in the village of Mettupalaiem (134), Vellore taluk, North Arcot ;

(b) whether it is a fact that two Adi-Dravidas (Veeran and Chinna-payam) of Mettupalaiem village (134), Vellore taluk, North Arcot district, cultivated the lands under Sivayijama for at least three years and spent money and labour in removing, levelling and otherwise improving the lands ;

(c) whether it is a fact that the abovesaid lands have now been assigned to one Muhammad Usman Sahib on the ground that he is a retired sepoy ;

(d) whether it is a fact that the Revenue Inspector took some statement from the two Adi-Dravidas to the effect that Adi-Dravidas did not require the lands for cultivation on darkhast ; and

(e) whether it is a fact that the Revenue Divisional Officer of that firka rejected the appeal of the Adi-Dravidas even without hearing them ?

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A.—A letter from the hon. Member on the subject has been forwarded to the Collector of North Arcot for inquiry and disposal. The Government have no further information on the matter.

Mr. R. VEERIAN :—“ Sir, may I know whether there is any rule in the Board's Standing Orders to the effect that lands cultivated under Sivayijama by the Adi-Dravidas for more than 3 years spending much money over the land for making it cultivable, may be assigned to members of the non-depressed classes ignoring the claims of the so-called depressed classes ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I have not heard the question, Sir, i.e., if the question was whether there was such a standing order or whether there was not.”

Mr. R. VEERIAN :—“ I wanted to know, Sir, whether there is any rule in the Board's Standing Orders to the effect that lands cultivated by the Adi-Dravidas under the Sivayijama may be assigned to some others, non-depressed classes, ignoring the claims of the so-called depressed classes.”

The hon. Mr. N. E. MARJORIBANKS :—“ There is no such rule, Sir.”

Mr. R. VEERIAN :—“ May I know if any compensation is being given to the Adi-Dravidas when they are evicted from such lands ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ That assumes, Sir, that they are evicted.”

Malabar Affairs.

Compensation to the Pullengode Rubber Estate in Malabar for damages during Mappilla rebellion.

* 1221 Q.—Mr. K. PRABHAKARAN TAMPAN : Will the hon. the Member for Revenue and the hon. the Member for Finance be pleased to state—

(a) whether the Government have granted any compensation to the Pullengode Rubber Estate in Malabar for the damages it suffered in the recent Mappilla rebellion ; if so, how much ;

(b) what was the basis for assessing their damages ;

(c) whether the Government have been apprised by Sir Arthur Knapp, I.C.S., that he had large interests in the Pullengode and Edavanna estates as shareholder or otherwise when he recommended the compensation ; and

(d) the date of the Government Order sanctioning the grant and the date of encashment by the company ?

A.—(a), (b) & (d) The hon. Member is referred to G.O. No 318, Public, dated 30th March 1925, which was laid on the table on the 2nd November last. The Government is not aware of the date of encashment referred to in clause (d).

(c) When the question of making loans to Estate companies and others was under consideration in 1922 Sir Arthur Knapp then on special duty in Malabar brought to the notice of the Government that he owned a few hundred pounds worth of shares in two of the companies : and he drew attention to the matter again in 1923 when proposals for writing off the loans were before the Government. The hon Member is mistaken in suggesting as he apparently does that the proposals to write

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- off the loans originated with Sir Arthur Knapp. The proposals were made by the Collector of Malabar, Mr. Ellis, and recommended by Mr. Macmichael then on special duty in Malabar.

Mr. K. PRABHAKARAN TAMPAN :—“ Sir, in answer to clause (c) of my question I find it stated : ‘ The hon. Member is mistaken in suggesting as he apparently does that the proposals to write off the loans originated with Sir Arthur Knapp. The proposals were made by the Collector of Malabar, Mr. Ellis, and recommended by Mr. Macmichael then on special duty in Malabar.’ May I know whether in recommending that these loans might be written off Mr. Ellis urged any special consideration for writing off the loans given to the planters, or the planters only automatically came within the privilege ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I am afraid, Sir, I do not understand the question. I do not quite follow the hon. Member.”

Mr. K. PRABHAKARAN TAMPAN : “ I want to know whether Mr. Ellis gave any special reasons for writing off the loans advanced to the planters, because the other loans were only of small denominations while the loans given to the planters amounted to Rs. 60,000 and such big items. I want to know whether Mr. Ellis urged any special reasons for writing off these large loans or in suggesting that the whole loans may be written off as the planters unasked had the benefit of getting those moneys ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ To the best of my recollection I can say that Mr. Ellis gave reasons, but whether they are special or not is a matter of phraseology.”

Diwan Bahadur M. KRISHNAN NAYAR .—“ Sir, in answer to clause (c) it is stated : ‘ when the question of making loans to Estate, companies and others was under consideration in 1922, Sir Arthur Knapp, then on special duty in Malabar brought to the notice of the Government that he owned *a few hundred pounds* worth of shares in two of the companies’. Will the hon. the Revenue Member be pleased to state what the exact amount of the *few hundred pounds* is ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I have placed before the House the entire record of what was done at the time, and I have no other information.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ I may tell the hon. Member that no record showing that Sir Arthur Knapp owned any amount or any shares in these companies has been laid on the table of the House. And so we are not in a position to know what the exact amount was that he owned in these companies. In these circumstances, will the hon. the Revenue Member be pleased to state what the amount which Sir Arthur Knapp owned was ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ As I have just said, I have given to the House all the information we have on the subject.”

Mr. S. SATYAWURTI :—“ May I therefore ask the hon. the Revenue Member whether he wants this House to believe that when the Government wrote off this large sum, they did not at all enquire what the extent of the hundreds of pounds worth of shares owned by a Member of the Government was before

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they did this kind of thing? Is it suggested seriously that Government paid this amount to some people including one of its Members, without knowing how much would go into his pockets?"

The hon. Mr. N. E. MARJORIBANKS :—"I do not quite follow the hon. Member. In the first place he was not one of the Members of the Government at the time, and in the second place I do not know what enquiries were made. I give the information which is on record and available to me"

Diwan Bahadur M. KRISHNAN NAYAR :—"When this information was given by Sir Arthur Knapp, namely, that he owned a few hundreds of pounds worth of shares, did the Government consider it their duty to ascertain from Sir Arthur Knapp what the exact amount that was owned by him in these companies was?"

The hon. Mr. N. E. MARJORIBANKS :—"I have given information from a statement, a note that was made in 1922. I do not know what enquiries they must have made. This is all that is on record."

Diwan Bahadur M. KRISHNAN NAYAR :—"I am asking my Friend the hon. the Revenue Member the serious question whether, and having known from Sir Arthur Knapp himself that he owned shares in these two companies, the Government did not think it their duty to ask Sir Arthur Knapp the exact amount of shares in money which he owned in these two companies?"

The hon. Mr. N. E. MARJORIBANKS :—"As I have endeavoured to make it clear more than once, this took place in 1922. I do not know what happened on that occasion beyond what I have stated in answer to the question."

Diwan Bahadur M. KRISHNAN NAYAR :—"Will the hon. Member search for the information and lay it on the table, information as to the exact amount of shares which Sir Arthur Knapp owned in these two companies?"

The hon. Mr. N. E. MARJORIBANKS :—"Sir, we have searched and we have placed before the House the information that is available. There is no more information available with the Government."

Diwan Bahadur M. KRISHNAN NAYAR :—"Will the hon. the Revenue Member be pleased to state what the other company was in which Sir Arthur Knapp owned shares? The name of one company is given in the question itself, and that is Pullengode Rubber Estate. Will the hon. Member be pleased to state the name of the other company?"

The hon. the PRESIDENT :—"Order, order. We are only on one rubber company here."

Diwan Bahadur M. KRISHNAN NAYAR :—"I am asking a supplemental question arising from the answer given. The answer is that Sir Arthur Knapp told the Government that he owned a few hundred pounds worth of shares in two of the companies. The original question relates only to one company, but the answer relates to two companies, and arising from that answer I am asking this supplemental question."

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The hon. Mr. N. E. MARJORIBANKS :—" I may say, Sir, that I do not know whether Pullengode Estate is one of the companies which are referred to in the answer. What I say is that this is all the information we have."

Mr. K. PRABHAKARAN TAMPAN :—" If you allow me, Sir, I may say it is the Yadavanna Rubber Estate. That is the name of the other company "

The hon. Mr. N. E. MARJORIBANKS :—" All I can say is that the hon. Member is better informed than myself."

Diwan Bahadur M. KRISHNAN NAYAR :—" Having regard to the information that the other company is the Yadavanna Rubber estate, may I now ask the hon. the Revenue Member whether any compensation has been paid to that company ? "

The hon. the PRESIDENT :—" Order, order. One company is bad enough. We had better confine ourselves to the Pullengode Rubber Estate."

Diwan Bahadur M. KRISHNAN NAYAR :—" One company may be bad enough, but two companies are worse."

Mr. S. SATYAMURTI :—" In the answer it is stated that he (Sir Arthur Knapp) drew attention to the matter again in 1923, when proposals for writing off the loans were before Government. May I know if Sir Arthur Knapp was then a Member of the Government ? "

The hon. Mr. N. E. MARJORIBANKS :—" Yes, Sir. I believe he was "

Mr. S. SATYAMURTI :—" Therefore, does the hon. the Revenue Member say that Sir Arthur Knapp considered proposals for writing off this debt, part of its benefit to go to himself, and it was so written off without his ever himself placing on record the extent of the shares owned by him in the estate or the Government doing its elementary duty by the tax-payer and finding out how much of this debt is going to benefit the pockets of one of its Members ? "

The hon. Mr. N. E. MARJORIBANKS :—" I do not know, Sir. I was not a Member of the Government in 1923."

Mr. S. SATYAMURTI :—" Arising out of that, Sir, I may say that I am not asking the hon. Mr. Marjoribanks. I am asking the Revenue Member of the Government. It seems to me an irrelevant answer to say that he was not a Member of the Government then. The Government continues. The King dies, but long lives the King. Therefore whether Mr. Marjoribanks was a Member of the Government or not, it is up to him to find out the information and give us. The answer that he was not a Member of the Government then is not at all an answer."

Mr. K. PRABHAKARAN TAMPAN :—" It is said that the proposals were made by the Collector of Malabar, Mr. Ellis. If my memory is correct, Mr. Ellis was Collector of Malabar about 1922 or so, but the moneys were disbursed only in 1924, just two days before Sir Arthur Knapp left India. It is said in the answer that I am mistaken in suggesting that the proposals to write off the loans originated with Sir Arthur Knapp. In view of the fact that it should synchronize with Sir Arthur Knapp's departure from this country, I think I am not far from right in saying that he was personally interested in it."

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The hon. the PRESIDENT :—"What is the question put by the hon Member?"

Mr. K. PRABHAKARAN TAMPAN :—"The question is whether under the circumstances the innuendo suggested in the answer that I was wrong . . ."

The hon. the PRESIDENT :—"That is hardly a question."

Mr. K. PRABHAKARAN TAMPAN :—"The question is whether the Government are justified in presuming I am mistaken. I want to know whether the Government themselves do not know or do not want to say any thing?"

The hon. the PRESIDENT :—"That is a question which the hon. Member ought to put to himself."

Mr. C. RAMALINGA REDDI :—"May I ask whether in 1923, when Sir Arthur Knapp was a Member of the Government, he without drawing the attention of the Government to the fact that he had some interest in these two companies, left the files to be disposed of entirely by his colleagues or whether he had any share in arriving at the decision arrived at by the Government? That could be ascertained, I am sure, from the records."

1-30
m.

The hon. Mr. N. E. MARJORIBANKS :—"It is not shown in the records what members took part."

Mr. S. SATYAMURTI :—"In view of the absence of that information and in view of the *suppresio veri* therefore on the part of Sir Arthur Knapp, will the Government consider it necessary to prosecute Sir Arthur Knapp for not having given the facts which would have enabled Government to arrive at a correct judgment, which is likely to be in favour of and beneficial to the poor tax-payer?"

The hon. Mr. N. E. MARJORIBANKS :—"The words used by the hon Member are in my opinion an abuse of the privileges of the House."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I want to know whether the fact of Mr. Knapp owning a number of shares in the company was never brought to the notice of the Finance Committee in the course of its proceedings or this Council. I believe they came to this Council for some supplementary grant in respect of this matter. May I know whether any such information was given either in the Finance Committee or in this House?"

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"May I know when the proposals were made by the Collector of Malabar Mr. Ellis for writing off this loan? It is stated that it did not originate from Mr Knapp, but from the Collector of Malabar. May I know when?"

The hon. Mr. N. E. MARJORIBANKS :—"I have not the papers with me now. But the question was under consideration in 1922, and I should imagine it was somewhere at the end of 1922 or at the beginning of 1923."

Mr. T. ADINARAYANA CHETTIYAR :—"Is it possible to place the proposal of Mr. Ellis and the recommendation of the Government while making the demand before the House on the table?"

The hon. Mr. N. E. MARJORIBANKS :—"Notice, Sir."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"May we know what proportion the few hundreds of pounds of shares bear to the total number of shares of the company or the total share capital?"

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The hon. Mr. N. E. MARJORIBANKS :—" I do not know, Sir."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Will the Government be pleased to enquire and give the information ? "

Mr. K. UPPI SAHIB :—" May I know why, when the loss of the company reported was 71,000, this two lakhs of rupees were written off ? "

The hon. the PRESIDENT :—" I am afraid that it is a separate question which does not arise."

Diwan Bahadur M. KRISHNAN NAYAR :—" It is stated in answer to clause (a), (b) and (d) that the Government is not aware of the date of encashment referred to in clause (d). They further say that the hon. Member is referred to G.O. No. 318, Public, dated 30th March 1925. That is the date of sanctioning the payment and that date is one day before the close of the financial year. Will the hon. Member be pleased to tell us when that order was communicated to the company ? "

The hon. Mr. N. E. MARJORIBANKS :—" Notice."

Sir ALEXANDER MACDOUGALL :—" May I suggest that the share list of the company is open to the inspection of the public and the information can be had there ? "

Diwan Bahadur M. KRISHNAN NAYAR :—" They will push me out and I do not want to put myself to that indignity. In any case, I am asking the hon. the Revenue Member as to when the order was communicated. I suggest, and the hon. Member will correct me if I am wrong, that it is on that very date."

The hon. the PRESIDENT :—" What is the question ? "

Diwan Bahadur M. KRISHNAN NAYAR :—" What is the date on which that order of Government for payment of money was communicated to the company ? "

The hon. Mr. N. E. MARJORIBANKS :—" That is the question for which I wanted notice."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether any answer is to be given to my question whether the fact of Mr. Knapp owning shares in the company was given out either in the Finance Committee meetings or in this House ? So far as I can see, the matter was not given out either in the Finance Committee or this Council. Will the hon. Member answer my question or can we take the inference from his silence ? "

The hon. Mr. N. E. MARJORIBANKS :—" I am not prepared to say yes or no. If he puts a question, we will refer to the records."

Mr. C. V. VENKATARAMANA AYYANGAR :—" So far as the records have been seen, will the hon. Member say whether this fact was ever mentioned before the Finance Committee ? "

The hon. Mr. N. E. MARJORIBANKS :—" I referred to the records of the proceedings of Government. The hon. Member is asking whether a statement was made in the proceedings of the House or the Finance Committee. If he will put a question on paper, we will search for it and give an answer."

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Mr. C. E. Wood :—" Arising from that question, may I ask whether it is not a fact that the Registrar of Joint Stock Companies keeps a register of all companies and the names of the shareholders and the information will be available to anybody who pays a small fee ? "

The hon. Mr. N. E. MARJORIBANKS :—" I believe so. "

Mr. K. PRABHAKARAN TAMPAN :—" That is a company floated in England and the Registrar of Joint Stock Companies does not keep such register. "

The hon. the PRESIDENT :—" Hon. Members are giving a lot of information not in the possession of Government members. I would ask them to give the questions instead of answers unasked. "

Minor Irrigation.

Kudimaramat and the removal of prickly-pear on tank bunds.

* 1222 Q.—Mr. V. PANTULU AYYAR : With reference to the article " Kudimaramat and the removal of prickly-pear on tank bunds " appearing in the *Hindu* of the 17th October 1925, will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Board's Standing Orders on the Kudimaramat Act have been recently so changed as to make it obligatory on the land-owners to clear prickly-pear found in tank bunds ;

(b) at whose cost and through whose agency such clearing was being made before the change effected in the Standing Orders ;

(c) whether it is a fact that in the North Arcot district the Tahsildar of Polur gave the execution of the work of removing prickly-pear to contractors and later issued demand notices for the collection of money from the landholders ;

(d) whether the Tahsildar informed the landholders previously of his intention to engage contractors for the work and whether he made it clear to them that the cost would have to be borne by them ;

(e) whether it is a fact that several landholders have given notices of suit against the Government protesting against the issue of demands for such collections in the district of North Arcot ; and

(f) if the answer to (e) be in the affirmative, whether Government have considered the question of issuing instructions for stopping collections for work done on poramboke lands and on tank bunds either under the control of the Public Works Department or the Revenue Department through its Minor Irrigation branch ?

4.—(a) & (b) There has been no recent change in paragraphs 5 and 6 of Board's Standing Order No. 86, which deal with customary labour. These paragraphs are based on section 6 of Act I of 1858 which seems to have been overlooked by the writer of the article referred to.

(c), (d) & (e) The Government have no information on these points.

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(f) Even should it be the case that several persons have protested against the enforcement of their liability, the Government do not consider that that would be a sufficient reason for the issue of the general orders suggested.

Mr. T. ADINARAYANA CHETTIYAR :—“ Is it a fact that the fee collected is one rupee two annas or one rupee four annas per acre ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ Notice.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Is it a fact that the amount collected is more than twice the actual cost of removal ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I hope not ; but must ask for notice.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ May I know whether all kudimaramats are not mentioned in the settlement register of the village ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I must ask for notice for that, Sir.”

Public Service.

Committee to inquire into the grievances of non-gazetted officers.

* 1223 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have declined to appoint a committee to inquire into the grievances of the non-gazetted officers ;

(b) whether in coming to that decision the Government considered the resolution of the Legislative Council on that matter ; and

(c) if so, the reasons why the Government came to that decision ?

A.—The hon. Member is referred to item (14) in Appendix VI (on page 547) to the Proceedings of the Legislative Council, 21st August 1925 (Volume XXIV, No. 4).

Tours.

Tours of the hon. Ministers in South Kanara.

* 1224 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue, the hon. the Minister for Local Self-Government and the hon. the Minister for Education be pleased to state—

(a) how many tours since 1921 the hon. Ministers made in South Kanara, in what month and year and what for ;

(b) whether there is not a travellers' bungalow at Mangalore where the hon. Ministers could reside ;

(c) what arrangements have Government made or whether they propose to make any for the residence of the hon. Ministers when they halt in any place in South Kanara and other districts during purely official tours without their having recourse to the hospitality of local gentlemen ; and

(d) whether Government have laid down or propose to lay down any rules for the guidance of the hon. Ministers in such matters ?

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- A.—(a) The hon. Member is referred to the answer to clauses (i) and (ii) of Question No. 432 put by him at the meeting of this Council in August 1924.
- (b) There is a travellers' bungalow at Mangalore which is open to all travellers if not already occupied.
- (c) The Government have made no arrangements, nor do they propose to make any.
- (d) No.

Mr J. A. SALDANHA :—" May I inquire whether Government considers it advisable that Ministers should sponge as guests on private gentlemen during an enormous number of tours, that they are becoming a perfect scandal ? "

The hon. the PRESIDENT :—" It is not a matter of public importance where the members of Government stay. It is a matter between the host and the guest ? "

Mr J. A. SALDANHA :—" But may I know whether it is a fact that the Ministers become guests of private gentlemen during their tours. "

The hon. the RAJA OF PANAGAL :—" Many friends invite them and they think that it would be discourteous not to respond to the invitation. "

Tours of the hon. Ministers

* 1225 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Finance, the hon. the Minister for Local Self-Government, the hon. the Minister for Education, and the hon. the Minister for Development be pleased to state—

(a) what is the number of tours made by the several hon. Ministers from April to October 1925 ; and

(b) what were the routes taken by them during each of these tours and their respective cost ?

					Number of tours made.
A.—(a)	The hon. the Raja of Panagal	...	...	...	5
	The hon. Sir A. P. Patro	...	...	...	6
	The hon. Diwan Bahadur T. N. Sivagnanam Pillai				9
(b)	The cost of the tours, and the routes taken by the hon. the Ministers during these tours are given in the statement appended *				

Mr. J. A. SALDANHA :—" May I inquire the hon. the Chief Minister what public good purpose these tours serve ? "

The hon. the RAJA OF PANAGAL :—" The question has been several times answered before. "

Tours of the hon. Minister for Development to Tinnevely.

* 1226 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state—

(a) the number of times he visited Tinnevely on official tour this year ;

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(b) the nature and extent of the official work done by him during each of these tours?

(c) the number of times and the purpose for which he halted at Koilpatti during these tours?

A.—(a) Three.

(b) & (c) The tours were generally made to get into touch with public opinion regarding the branches of administration under my charge and to enlighten the electorates. In addition to this, I inspected the agricultural farm at Koilpatti on one occasion and opened two co-operative societies at the same place on another occasion, besides presiding at a co-operative conference at Talukapatti from Koilpatti, as there is no suitable accommodation at the former place. During my stay at Tinnevely, I visited the Co-operative Banking Union on one occasion and attended the general body meeting of the same union on another occasion.

Mr. S. SATYAMURTI.—“May I just ask only one question of the hon. Minister for Development and his colleagues, whether they propose at all to consider the feasibility and desirability of dividing their tours into tours for official work and inspection and tours for propaganda purposes and adopt the British convention of undertaking separate propaganda tours at their own expense, and charging the public exchequer only when they go for public purposes? I want an answer, yes or no.”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“They have been doing that.”

Mr. S. SATYAMURTI :—“May I know if there has been one propaganda tour at his own expense, which he has undertaken during the last”

The hon. the RAJA OF PANAGAL . —“Several tours.”

Mr. S. SATYAMURTI :—“I am asking the Development Minister.”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“I give the same answer.”

Mr. S. SATYAMURTI :—“We have got a list given in the appendix of the number of tours undertaken by the hon Ministers during the last two years where they do propaganda work also. May I know compared with this number what is the number of tours which they have undertaken at their own expense?”

The hon. the PRESIDENT :—“We have nothing to do with something done or which might have been done by the Minister in his non-official capacity.”

Mr. S. SATYAMURTI :—“The Minister can have no non-official capacity, so long as he is a Minister. He is a Minister all the 24 hours, I hope. I am simply telling him that when he undertakes tours it is one thing to go as Minister and inspect the administration in his charge and quite a different thing to do propaganda work for his party. What is the number of tours under the latter category when the hon. Minister for Development went as a party leader and canvassed support for his party compared with the number of official tours in general.”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“I do not quite follow what the hon. Member has been saying?”

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Mr. S. SATYAMURTI :—“ It is a difficult political practice which he has not become familiar with ”

The hon. the PRESIDENT :—“ Will the hon. Member kindly frame the question ? ”

Mr. S. SATYAMURTI :—“ I have framed the question. I will repeat it to the extent to which my memory serves me. Will the hon. the Minister for Development please inform the House how many tours he has undertaken for purely party propaganda purposes at his own expense, as distinct from tours where he goes as member in charge of the administration and inspects the details of administration under his control and incidentally does propaganda work ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ The tours are so mixed up together.”

Mr. S. SATYAMURTI :—“ That is my trouble. My question therefore is whether the Ministers will consider the feasibility and advisability of having their tours as leaders of party at their own expense in the interests of the tax-payers.”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ I have done so.”

Mr. S. SATYAMURTI :—“ How many instances ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ In the first tour I stayed two days and I did not claim any allowance.”

Mr. S. SATYAMURTI :—“ Halting allowance ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ Yes. Again in July I stayed two days and I claimed no halting allowance. The trip that I made to Cuddalore was a private one and has not been charged to Government.”

Mr. C. RAMALINGA REDDI :—“ Arising out of that answer may I ask why when he has not been charging halting allowance he has been charging railway expenses ? The trips are either private or public. If he charges anything, he must charge for both.”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ When I went on Government duty and did private work I did not charge halting allowance for the days that I stayed to do private work.”

Mr. C. RAMALINGA REDDI :—“ I ask the hon. the Finance Member whether he accepts that distinction altogether as quite sufficient.”

The hon. Mr. T. E. MOIR :—“ I think the hon. Member tried to lay down the distinctions. When a Member of Government or official travels partly on Government duty but at the same time attends to matters which cannot be said to fall strictly under the category of official duty he is entitled to charge all the expenses or none at all to the Government.”

Mr. C. RAMALINGA REDDI :—“ May I explain myself a little more clearly ? My position is not only that he should not claim halting allowance but also he should not claim travelling allowance for railway fare both ways, since he went on a two-fold object and the charges could not be divided between them.”

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The hon. Mr. T. E. MOIR :—" I am afraid I am unable to accept that criterion as the one that should apply to travelling allowance bills of Members of Government or other officials. The only criterion that the Finance Department have to apply is whether the journey was undertaken in connexion with official business and the Finance Department have nothing to do with any private engagements or any private work of the Government Members or officials. If it is a case that the journey was undertaken in connexion with any official business, the Finance Department cannot raise any question as to what the Member of Government or the official did during all the 24 hours. I may say, Sir, that, as a matter of fact, both my hon. Colleagues here, and I may add myself, in fact, Government officials generally go beyond what any rules can expect of them in determining cases in which they do not feel that they should claim the whole amount which under the rules is due to them. But that is a matter which must be left entirely to the individual feelings and to the good sense of the Member of Government or official concerned. I merely wish to say that to my experience these considerations are frequently borne in mind by my hon. Colleagues and I wish to add that that is a matter which should be not a reproach to them but rather the reverse. But it is not a matter over which the Finance Department can exercise any control or claim to do so."

Mr. C. RAMALINGA REDDI :—" I intended no reproach and I do not wish to make any reflection here. But as a principle . . ."

The hon. the PRESIDENT :—" Will the hon. Member come to his question? "

Mr. C. RAMALINGA REDDI :—" If it is admitted that during a certain journey so much of private work was done that no halting allowance was claimed, may I ask that as a matter of public principle that railway fare should not also be charged? And may I ask why the railway fare alone should be put to the charge of the public exchequer, the halting allowance being borne by the official? The principle of distinction having been broached by the hon. the Finance Member I wish that he would give us a specific principle which could be applied irrespective of private or generous principles."

The hon. Mr. T. E. MOIR :—" It is not open to me to lay down any principles beyond those contained in the travelling allowance rules which have been approved by Government. There is no principle concerned at all. It is entirely a question of individual feeling and discrimination and it is a matter on which I must decline to interfere."

Depressed Classes.

Management of the Andapettu Adi-Dravida Elementary School by the Labour Department.

* 1227 Q.—Mr. R. VEERIAN : Will the hon. the Home Member be pleased to state—

(a) what has become of the application submitted by Mr. S. Vedamuthu, Manager of the Andapettu Adi-Dravida Elementary School, Andapettu,

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Tindivanam taluk, to the District Labour Officer, Chidambaram, dated 10th November 1925, offering to hand over the management of the school to the Labour Department; and

(b) if no action has been taken, the reasons for the same?

A.—(a) & (b) The school is situated in the Tindivanam taluk and the operations of the Labour department are at present mainly confined to Chidambaram and Vriddhachalam taluks. Further, it is not the policy of the department to convert aided schools into Government schools. The school in question is already receiving a grant from Government.

Mr. R. VEERIAN :—“ With reference to clauses (a) and (b), may I know when the activities of the Labour Department would be extended to Tindivanam taluk ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I should like to have notice of it, Sir.”

Mr. R. VEERIAN :—“ May I know for how long the Labour Department has been working in Chidambaram and in Vriddhachalam taluks ? ”

The hon. Khan Bahadur MUMAMMAD USMAN SAHIB Bahadur :—“ Notice, Sir.”

Mr. R. VEERIAN :—“ When there is a correspondent who is perfectly willing to hand over the management of the Tindivanam school, may I know whether there is any difficulty in taking up the whole management of the school by the Labour Department ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ That is not the criterion to be adopted at all in these cases, Sir.”

Meetings, etc., of the Depressed Classes Advisory Standing Committee.

* 1228 Q.—Mr. R. VEERIAN : Will the hon. the Home Member be pleased to state—

(a) how many times the Depressed Classes Advisory Standing Committee of the Legislative Council met up to this time since 1923 ;

(b) the suggestions made by each member of the Committee since 1923, and the results in each case ; and

(c) the names of members of the Advisory Committee ?

A.—(a) The attention of the hon. Member is invited to the answer given to question No. 638 asked at the meeting of the Legislative Council held on the 24th March 1925.

(b) The discussions were informal and the Government have not kept a record of the proceedings.

(c) The names of the members are—

(1) M.R.Ry Diwan Bahadur P. Kesava Pillai Avargal, C.I.E.,
M.L.C.

(2) „ R. Srinivasan Avargal, M.L.C

(3) „ Rao Sahib P. V. Gopalan Avargal, M.L.C.

(4) „ P. V. S. Sundaramurthi Avargal,
M.L.C.

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|-------------------------------------------------|---------------|
| (5) M.R.Ry. N. Devendradu Garu, M.L.C. | } Ex officio. |
| (6) The Commissioner of Labour | |
| (7) The Secretary to Government, Law Department | |

Mr. R. VEERIAN :—“ With reference to clause (b), may I know what are the advantages in having informal discussions or having an Advisory Depressed Classes Committee which is not transacting any business and whose discussions are only informal? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ The questions are fully discussed by them.”

Mr. R. VEERIAN :—“ The name itself indicates it is a Depressed Classes Advisory Committee and when it is so, where is then the difficulty of having all the depressed class members on the committee? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I do not think it is necessary to do so ”

Forests.

Protection to private pattadars regarding tangedu leaf.

* 122) Q.—Mr. G. RAMESWARA RAO : Will the hon. the Home Member be pleased to state—

(a) whether the attention of the Government has been drawn to a Telugu Weekly of Anantapur—*Pinakin Patrika*—dated 5th September 1925 headed “ Leaf manure and village panchayats ”; and

(b) what safeguards have been taken to protect the rights of private pattadars with regard to the tangedu leaf as against those of the contractors in whose interests the three notifications referred to in that letter have been published in the District Gazette? .

A.—(a) The Government have now perused the article referred to.

(b) Clauses 11 and 13 of the sale notices referred to contain sufficient safeguards to protect the rights of the ryots.

Mr. G. RAMESWARA RAO :—“ Sir, I am aware of the clauses 11 and 13. But what I submit is that some steps should be taken to see that the contractors do not molest these ryots . . . ”

The hon. the PRESIDENT :—“ What is the question of the hon. Member? ”

Mr. G. RAMESWARA RAO :—“ May I know whether Government propose to take any steps to better the conditions of these ryots in view of the fact that these ryots are now molested? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ The Government think that no further steps are necessary.”

Protest against Mr. Martin's scheme regarding forests in Tinnevely district.

* 1230 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state—

(a) whether Government are aware of the strong feeling in the Tinnevely district against Mr. Martin's scheme being carried out in respect of the forests in that district;

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(b) whether the Government propose to appoint a competent committee to deal with this matter in all its aspects before proceeding with the scheme ; and

(c) if not, why not ?

A.—(a), (b) & (c) The Government have received representations from persons who fear that the denudation of the forests is proposed. No final report on the scheme has yet been received nor have the Government under consideration any proposal for the appointment of a committee.

Mr. C V. VENKATARAMANA AYYANGAR :—“ May I know whether, seeing that it is now over six weeks from the date of the answer, whether any report has since been received ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ As far as I remember I do not think any final report has been received.”

Jails.

Depressed classes convicts working as scavengers in jail.

* 1231 Q.—Mr. R VEERIAN Will the hon the Home Member be pleased to lay on the Council table a report of the number of convicts of the depressed classes doing the work of scavengers in all jails of this presidency under the following heads, namely,—Koravas, Thoti, Adi-Dravida, Maduga, Malla, Domba, Cheruma, Panan, Pallan, Nayadi, Pulian, Woddan, the Holey, Irulla, Kollan, Valuvan, Pandaram, and the Malasar etc. ?

A.—The hon Member is referred to the answer to question No. 161 given at the meeting of the Legislative Council on the 6th February 1925

Mr. R. VEERIAN :—“ With reference to clause (a), the answer given here refers to the answer given to question No. 161 where it is stated that the Government have no information In that case may I ask whether the Government do not know how many convicts are there in each and every one of these jails ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ Sir, in view of the feeling that is exhibited in this matter, I may say for the information of this hon House that I intend to discuss this question with the Inspector-General when he comes to Madras.”

Mr. R. VEERIAN :—“ Are the Government aware that all the depressed classes are not accustomed to do this work ? ”

The hon. the PRSIDENT :—“ The hon. Member is giving information and not asking for it.”

Labour.

Working hours of labourers in beedi shops.

* 1232 Q.—Mr. R VEERIAN : Will the hon. the Home Member be pleased to state—

(a) whether the Government have taken any steps to fix the working hours of the labourers in the beedi shops ; and

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(b) whether any control is exercised by the Government over child labour in the beedi shops?

A.—(a) & (b) The answer is in the negative.

Mr. C. V. VENKATARAMANA AYYANGAR :—“ May I know if tobacco is considered poisonous ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur .—“ I do not think so, Sir.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Then, may I know why Government do not want to take action in either of the lines suggested ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur .—“ Govern-ment do not consider it possible to do so.”

Mr. J A SALDANHA :—“ May I know, Sir, if there is no enactment of the legislature under which they can take action as proposed ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur .—“ As far as I am able to see there is no enactment.”

Mr. C V. VENKATARAMANA AYYANGAR —“ Section 144 of the Criminal Procedure Code, Sir.”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I am not very much acquainted with law and as a lawyer my hon. Friend knows it better.”

Mr C. V. VENKATARAMANA AYYANGAR —“ It is described as dangerous to life.”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I do not think so.”

Mr. R. VEERIAN —“ May I know whether the beedi shops that employ child labour in large numbers do not come under the operation of the Factories Act ? ”

The hon the PRESIDENT —“ That question does not arise.”

Local Boards and Municipal Councils.

Nominations to the local boards of South Kanara district.

* 1233 Q.—Mr. D. MANJAYYA HEGGADE: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of nominated members in the district board and taluk boards respectively in South Kanara and the different communities represented by those members;

(b) whether the Government include the Jains among the minor communities and if so, how many Jains have been nominated to be members of the district and taluk boards; and

(c) if the answer to the above is in the negative, the reasons for the same?

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- A.—(a) A list * of the nominated members of the district board showing the community of each is laid on the table. As regards taluk boards the hon. Member is referred to the lists laid on the table on the 28th October 1925 in reply to question No. 562.
- (b) The question whether the Jains form a minority community or not depends on their strength in any particular area. No Jain has been nominated to the district board or taluk boards in South Kanara.
- (c) There is no need to nominate a Jain to the district board, as there is an elected member of the community on it. As regards taluk boards, the appointments are made by the President, District Board.

Nominations to district boards and municipal councils.

* 1234 Q.—Mr. G. RAMESWARA RAO. Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether before nominations to the district board are made, the district board president and the District Collector are consulted;

(b) whether similar practice obtains with regard to the nominations to the municipal councils;

(c) whose word prevails, in case of difference of opinions between the Collector and the district board president or municipal chairman;

(d) whether there is any difference in practice in each of cases mentioned in (a) and (b) and if so what the principle underlying is;

(e) whether any difference is made in the cases of nominated presidents and chairmen as opposed to elected persons in the matter of recommending nominations;

(f) what the steps are that are taken to safeguard the proper representation of minority communities in local boards and municipal councils;

(g) whether, in practice, nominations are not made from the same community from which there are a preponderating number of elected members;

(h) whether any steps are taken by the Government to check improper nominations in the taluk and union boards and if so what they are and in how many cases such checks have been applied;

(i) whether any change in the Acts is contemplated to provide necessary checks on improper nominations against the spirit of the Local Boards Act; and

(j) whether the Government contemplate the framing of any rules towards the same end?

A.—(a) The president of the district board submits to Government proposals for filling the vacancies on the district board. The Collector is not generally consulted.

(b) The Collector submits proposals for appointment to the municipal councils in his district. The Government do not consult the chairman before making appointments.

(c) The answer is in the negative.

(f) Necessary instructions have been issued and the Government endeavour to see that they are carried out.

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(g) If this is the hon. Member's opinion the Government are not able to agree with him.

(h), (i) & (j) Improper nominations when brought to the notice of the Government are cancelled. The question whether any further steps are necessary to secure the purpose of the Act is engaging the Government's attention.

Mr. G. RAMESWARA RAO :—" May I draw attention of the hon Minister to the fact that my questions (c) and (d) are not answered and may I ask for an answer to them ? "

The hon. the RAJA OF PANAGAL :—" That is a matter of opinion and I do not think I can answer that question.

Mr. G. RAMESWARA RAO :—" It is always for the President to disallow a question and when the question has been admitted and has found a place on the list here I do not think it is open to any one else to sit in judgment over the decision of the President ? "

The hon. the PRESIDENT :—" The hon. the Raja of Panagal is not sitting in judgment over the decision of the President."

Mr. G. RAMESWARA RAO :—" I want an answer to clauses (c) and (d), Sir."

The hon. the RAJA OF PANAGAL :—" No, Sir, there is no difference between elected and nominated presidents and chairmen.

Mr. G. RAMESWARA RAO :—" In the one case the president of the district board is consulted and in the other case the Collector is consulted. May I know the principle that would apply when there is a difference of opinion in the authorities consulted ? "

The hon. the RAJA OF PANAGAL :—" I do not think that question arises."

Mr. G. RAMESWARA RAO :—" Sir, there is my question in print here."

Mr. F. NOYCE :—" The point as regards clause (d) is this. Nominations to district boards are submitted by the district board presidents and nomination to municipal councils are submitted by the Collector. It is an old practice which obtains from 1897 and has continued since then."

Mr. G. RAMESWARA RAO :—" I thought that in the case of the taluk board it was made by the district board president. I am asking with reference to the district board."

Mr. F. NOYCE :—" I am referring to nominations to the district board."

Mr. G. RAMESWARA RAO :—" Are they not made by the president, district board ? "

Mr. F. NOYCE :—" On the recommendation of the district board president."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know as regards the Madras Corporation, who makes the recommendations ? "

The hon. the PRESIDENT :—" I do not see anywhere here any reference to the Madras Corporation."

Mr. T. ADINARAYANA CHETTIYAR :—" That is also a municipality."

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Reconstituted municipality of Anantapur.

* 1235 Q.—Mr. G. RAMESWARA RAO : Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) the date on which the municipality of Anantapur was reconstituted;
- (b) the date or dates on which the first set of councillors were elected for the council; and
- (c) the date or dates on which lots were drawn for the retirement of the councillors in rotation?

A.—(a) 1st August 1924.

(b) Eleven councillors were elected on 26th July 1924 and one more on the 21st August 1924.

(c) 15th September 1925 and 21st November 1925.

Mr. G. RAMESWARA RAO :—“ With reference to the answers given here, may I know whether the elections were held before the constitution, because the elections were on 26th July and the reconstitution was on the 1st August ? ”

The hon. the RAJA OF PANAGAL :—“ I should like to have notice.”

Mr. G. RAMESWARA RAO :—“ 26th July was an earlier date than 21st August ? ”

The hon. the PRESIDENT :—“ Does the hon. Member want an answer for that question ? ”

Mr. G. RAMESWARA RAO :—“ That is a question if the hon. Minister wants it ? ”

The hon. the PRESIDENT :—“ But the hon. Member cannot put such a question.”

Mr. G. RAMESWARA RAO :—“ Were the elections held before the municipality was constituted ? ”

Irregularity in the voting strength of wards in some municipalities.

* 1236 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are aware that in a large number of municipalities there are as many wards as there are election seats;

(b) whether the Government are aware that other municipalities have wards with three or four seats allotted to them wherein the number of voters exceeds 1,000;

(c) whether the Government are aware that by reason of wards having about 1,000 votes, some communities have found themselves unable to get their candidates returned; and

(d) whether the Government have taken or propose to take any action in fixing the maximum voting strength of each ward so as to necessitate the creation of more wards and thereby remove the existing evil ?

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A.—(a) (b) & (c) A statement ^a showing the number of wards in each municipality and the sanctioned number of elective seats, as they stood on 31st March 1925, is appended. The Government have no information of the actual distribution of the elective seats among wards where the number of seats exceeds the number of wards, nor is information available as to the number of voters in each ward of a municipality.

(d) A copy ^a of G.O. No. 1040 M., dated 12th July 1915, which lays down the general principles to be observed in dividing municipalities into wards is laid on the table. The Government do not consider it necessary to fix the maximum number of voters for each ward.

Mr. R. SRINIVASA AYYANGAR :—" I should like first of all to draw the attention of the hon. Minister to a mistake with reference to the statement printed at page 124. There are two columns the first of which relates to ' the number of elective seats sanctioned ' and the second to ' number of wards '. The figures shown in the first heading should come under the second and *vice versa*. I hope the hon. the Chief Minister will have the mistake corrected. Arising out of the answer given, may I ask the hon. the Minister to be pleased to call for information with regard to Cuddalore, Conjeeveram, Rajahmundry, Ellore, Kurnool, Palghat, Palamecottah and Tinnevely ? "

The hon. the RAJA OF PANAGAL :—" The question will be considered."

Mr. R. SRINIVASA AYYANGAR :—" I wish to know whether the municipalities bear in mind the considerations laid down in G.O. No. 1040 M., dated 12th July 1915 ? "

12 noon.

The hon. the RAJA OF PANAGAL :—" That is what the Government think."

Mr. R. SRINIVASA AYYANGAR :—" Arising out of certain statements made in paragraph 5 of this Government Order, may I ask whether the hon. the Minister will be pleased to enquire and satisfy himself whether the broad lines of policy indicated therein have been adopted or attempted to be adopted by other municipalities similarly situated having a population of and above 50,000 ? "

The hon. the RAJA OF PANAGAL :—" I do not think it necessary to do so."

Mr. R. SRINIVASA AYYANGAR :—" May I ask why he does not think it necessary, especially when, I presume, the Government have laid down a certain policy in paragraph 5 of the Government Order for being adopted by certain municipalities ? "

The hon. the RAJA OF PANAGAL :—" The Government have no doubt that that policy is being adopted."

*Nomination of a member of the depressed classes to the
Dindigul municipality.*

* 1237 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the name of the member belonging to the depressed classes who is representing them on the Dindigul municipality by nomination ; and

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(b) if there is nobody, the reason for not appointing a member of the depressed classes ?

A.—(a) & (b) When the last nominations of the Council were made, there was no non-Christian Adi-Dravida suitable for appointment. A Christian Adi-Dravida, M.R.Ry. Yesu Sebastian, was appointed to represent the depressed classes. The term 'depressed classes' is not defined, and the Government are not able to say whether this individual is a member of a depressed class or not.

Framing of motor by-laws by district boards.

* 1238 Q.—**Mr. R. VEERIAN** : Will the hon. the Minister for Local Self-Government be pleased to state how many district boards have already framed motor by-laws regarding plying motor-buses in their districts for hire ?

A.—Twenty-four district boards. .

Mr. R. VEERIAN :—"Are the Government aware that no district board has stipulated any condition to its by-laws to the effect that no owner or driver of a motor-car plying for hire in its jurisdiction should refuse to take Adi-Dravidas who have purchased tickets ?"

The hon. the **RAJA OF PANAGAL** :—"One case was brought to the notice of a district board president and he took action. I understand that he levied a fine."

Mr. R. VEERIAN :—"May I know whether there is any difficulty in asking the district boards to have that thing framed in their by-laws ?"

The hon. the **RAJA OF PANAGAL** :—"There is no case for any such action being taken. Because, in the instance which was brought to the notice of the Government the local body itself took action."

The **RAJA OF RAMNAD** :—"Is it not a fact that any such action is taken only under the Motor Vehicles Act and not under the Local Boards Act ?"

The hon. the **RAJA OF PANAGAL** :—"Yes."

Mr. R. VEERIAN :—"May I know whether one instance will not do ?"

The hon. the **RAJA OF PANAGAL** :—"When other instances come before the Government, we will consider the question."

Nominations to Salem Municipal Council.

* 1239 Q.—**Mr. R. VEERIAN** : With reference to question No. 103 regarding nominations to Salem Municipal Council answered at the meeting, dated 19th August 1925, will the hon. the Minister for Local Self-Government be pleased to state why due regard was not given to the claims of the unrepresented communities while making nominations ?

A.—The question makes an assumption. If the hon. Member will specify the communities which he thinks were overlooked, the Government will be glad to make enquiries.

Education.

Establishment of a Tamil University.

* 1240 Q.—**Mr. P. K. S. A. ARUMUGA NADAR** : Will the hon. the Minister for Education be pleased to state whether any steps have been taken for the establishment of a Tamil University ? *

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A.—The answer is in the negative.

Mr. C. RAMALINGA REDDI :—“ May I ask whether the hon. the Minister for Education will take up this question soon ? ”

The hon. Rao Bahadur Sir A. P. PATRO .—“ I think the course of action suggested in section 53 of the Madras University Act will be adopted.”

Scholarship to girls in Government Training School for Mistresses, Coimbatore.

* 1241 Q.—Mr. R. VEERIAN : Will the hon the Minister for Education be pleased to state—

(a) why no scholarship was awarded to the only girl student belonging to the depressed classes reading in the Fifth standard in the Government Training School for Mistresses, Coimbatore ;

(b) whether any recommendation was made by the Superintendent or the Headmistress of this school to award scholarship to this girl ; if not, why not ;

(c) how many Brahman and Non-Brahman girls belonging to the touchable community were awarded scholarships in each class or standard ; and

(d) how many Brahman and Non-Brahman girls belonging to the touchable community were given concessions in each class ?

A.—(a) The student in question failed to secure promotion to Form I in which class alone scholarships available for award by the educational department are tenable.

(b) A recommendation was made by the Superintendent of the School to the Commissioner of Labour, but no scholarship could be granted to the girl as she was over the prescribed age.

(c) & (d) The information is given in the following statement —

Form or class	Brahman scholar- ship holders.	Non-Brahman scholarship holders.	Brahmans hold- ing fee conces- sions.	Non-Brahmans holding fee concessions	Non-Brahmans paying half fees.	Brahmans paying half fees
Form VI
„ V	2	..
„ IV	..	1	..	..	2	..
„ III	3	..
„ II	..	1	..	..	4	..
„ I	5	..
Class V	11	3
„ IV	7	2
„ III	21	18
„ II	1	27	11
„ I	15	2

Mr. R. VEERIAN :—“ With reference to clause (d) of the question, I find from the statement that a girl belonging to the non-depressed classes has been given full concession of school fees. I want to know the reason why a girl belonging to the depressed classes was not given the same concession, though poverty certificate was produced on behalf of that girl ? ”

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The hon. Rao Bahadur Sir A. P. PATRO :—" I have nothing to add to the answer already given."

Mr. R. VEERIAN :—" I find from the statement that 36 girls belonging to the Brahman community—of course I am not a hater of any community--

. . . . "

The hon. the PRESIDENT :—" It is not necessary for the hon. Member to say anything of the kind. Will he kindly confine himself to the question ? "

Mr. R. VEERIAN :—" I want to know whether rule 92 of the Madras Educational Rules applies not only to the backward and depressed classes, but also to the forward communities, viz., the Brahmans ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" It applies to all classes."

Mr. R. VEERIAN :—" If I have understood that rule correctly, I think it applies only to the backward and depressed classes as explained by the Government themselves."

Rao Bahadur M. C. RAJA :—" May I know from the hon. the Minister for Education whether the Brahmans are also included in rule 92 of the Madras Educational Rules ? (Voices : No, no.) Is not rule 92 of the Madras Educational Rules confined to the backward and depressed classes ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The hon. Member is aware that rule 92 applies to all backward classes."

Mr. R. VEERIAN :—" Do the Brahmans belong to the backward classes? Do they not belong to the forward communities? If they belong to the backward classes, why did the Government say in that rule framed by themselves that the Brahmans do not come under that category. They themselves have framed that rule and they have published a Government Order to the effect that such and such people belong to the depressed classes and other non-Brahman communities. In that Government Order there is no mention made of the Brahman community."

Rao Bahadur M. C. RAJA :—" I should like to know under what rule a full fee concession has been granted to a non-Brahman girl in this institution ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" Under the scholarship rule concession is given to a pupil who is not able to pay school-fees irrespective of whether he or she belongs to the Brahman or non-Brahman community."

Rao Bahadur M. C. RAJA :—" I am extremely sorry to hear that. I think the hon. the Minister is wrong. Rule 92 gives a list of names belonging to the backward and depressed classes and I do not think the Madras Educational Rules permit the grant of full fee concession to any pupil."

The hon. Rao Bahadur Sir A. P. PATRO :—" It is stated in the list, and I may say, the list is not complete."

Rao Bahadur C. NATESA MUDALIYAR :—" Is it not a fact that some non-Brahman Hindus are refused school-fee concession however poor they may be because they do not belong to the depressed classes ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" I have not heard of any such instance."

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Mr. R. VEERIAN :—" If the Government accept that the Brahman community comes under the category of the backward and depressed classes, may I know why it is not specifically stated in G.O. No. 855, dated 19th May 1925 ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" May I submit, Sir, that there is some confusion in the mind of my hon. Friend ? Rule 92 applies to the depressed and backward classes and the rule relating to the poverty certificate applies to all classes. There are two classes of cases. In one case concession is granted on the production of poverty certificate and in the other case concession is granted because the pupil belongs to the depressed classes."

Rao Bahadur M. C. RAJA :—" Sir, am I to understand that concession can be granted to non-depressed classes even though they do not produce poverty certificates ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" I am afraid the question does not arise out of what I said."

Rao Bahadur M. C. RAJA :—" I am in the line I know the working very well. Without poverty certificate nobody can claim and nobody is entitled to a concession. I should like to know from the hon. the Minister for Education whether a student studying in a recognized institution can claim full concession by producing a poverty certificate."

The hon. Rao Bahadur Sir A. P. PATRO :—" It is a hypothetical question wherein my opinion is needed. I am not prepared to give an opinion."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I know if a certain number of scholarships is awarded to each school for efficient pupils ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" That is so "

Rao Bahadur M. C. RAJA :—" I shall be extremely thankful to the hon. the Minister if he will only answer this question. Am I to understand that full fee concession may be granted to pupils studying in recognized institutions provided they produce poverty certificates ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" I think if my hon. Friend gives notice then I may be able to give him an answer."

Rao Bahadur M. C. RAJA :—" Here is a case mentioned in the statement that a pupil in a particular institution is allowed to enjoy full fee concession. I wish to know under what rule this pupil is allowed the concession ? "

The hon. the PRESIDENT :—" Evidently, as it has been done, there is a rule allowing such full fee concession "

Rao Bahadur M. C. RAJA :—" There is no rule allowing it. That is why I want to emphasise that."

Mr. A. RAMASWAMI MUDALIYAR :—" May I know that while scholarships are awarded to all scholars irrespective of their backward nature, fee concessions are specifically allotted. I hope, only to certain backward classes and that if other communities want to avail themselves of that concession they try to get into the list prepared by the Director of Public Instruction for the 154 backward communities which are specifically enumerated in the Grant-in-Aid Code ? "

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The hon. Rao Bahadur Sir A. P. PATRO :—“ That is so, and, there is rule 92.”

Rao Bahadur M. C. RAJA :—“ That rule does not entitle one to get full fee concession or even half.”

The hon. the PRESIDENT :—“ Why does not the hon. Member make an application and test the correctness of the hon. Minister's position ? ”

Rao Bahadur M. C. RAJA :—“ Thank you, Sir.”

Amendment of the Madras University Act.

* 1242 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Education be pleased to state whether the Government have had under consideration a proposal to amend the Madras University Act so as to secure representation in the Senate of only such persons as are qualified by education or profession to promote the cultural progress of the University ?

A.—The answer is in the negative.

Mr J. A. SALDANHA :—“ May I ask the hon. the Minister for Education whether it has come to his notice that some of the representatives sent by district boards and municipal councils are hardly fit to sit in the Senate ? ”

The hon. the PRESIDENT :—“ That question does not arise.”

Mr. J. A. SALDANHA :—“ I want to know whether there has not been a complaint before the Government that a representative sent to the Senate by the municipal councils and district boards is hardly fit”

The hon. the PRESIDENT :—“ That is the concern of the bodies which elected the member. If the hon. Member believes in democratic institutions, I am afraid, he will not put that question.”

Sriman SASIBHUSHAN RATH Mahasaya :—“ The question was whether the Government have received any complaint Is it not a concern of the Government ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ No complaint, Sir.”

Excise.

Toddy shops in Anantapur taluk.

* 1243 Q.—Mr. A. RANGANATHA MUDALIYAR. Will the hon. the Minister for Education and the hon. the Member for Revenue be pleased to state—

(a) whether the vendors of the toddy shops at Illuru, Kallamadi and Tarimela group of villages, Anantapur taluk, Anantapur district, had to close their shops in 1921 owing to lack of demand for toddy and applied for remission of the toddy rents and tree-tapping fees due by them, and if so, the orders passed by the Government thereon ;

(b) whether, since that time, the Government have been regularly trying every year to sell by auction one or more shops in the said group of villages, and if so, with what results ;

(c) whether the villagers concerned all these years have been systematically asking for the permanent closure of the shops in their villages and again reminded the Government of their request in August last, and if so, the orders passed by the Government thereon ; and

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(d) whether the above villages along with others suffered from drought and were included in the list of famine-affected areas, in the year 1924 and whether, during the said famine, the people of the three villages referred to above suffered less from the pangs of hunger than their fellow villagers in the 'wet' areas?

A.—(a) The toddy shops in Illuru and Tarimala villages worked for the first three months of the lease year 1921–22 and were closed afterwards as there was no demand for toddy in the villages. The Kallamadi toddy shop also remained closed for part of the lease period. The renter of the Illuru shop applied for remission which was refused by the Collector.

(b) The shops have been brought to sale every year since 1922–23 and as no bids were obtained, they were closed temporarily each year.

(c) Mr T. Sivasankaram addressed the Collector on 13th July 1924 about the closure of these shops and the leading ryots of the three villages appeared before the Collector on 5th July 1925 and gave an undertaking to see that no malpractice of any kind occurred and to help the authorities to detect such, if any. On the recommendation of the Collector, the shops were closed permanently by the Commissioner of Excise in 1925.

(d) There was no famine in the Anantapur taluk during 1924.

Opening of a foreign liquor tavern at Berhampur.

* 1244 Q.—SRIMAN SASIBHUSHAN RATHI Mahasayo: Will the hon. the Minister for Education be pleased to state whether it is a fact that a foreign liquor tavern is proposed to be opened at Berhampur (Ganjam)?

A.—The Government understand that a proposal to open one at Berhampur is under the consideration of the Collector of Ganjam and the Excise Commissioner.

Excise policy of the Government.

* 1245 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education and the hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to the declaration of the Collector of Tinnevely in his reply to the District Board regarding the Excise policy of the Government published in the *Swarajya* dated 7th November 1925 at page 6; and

(b) whether that letter states the policy of the Government accurately and especially whether the Government treat the recommendations of the local bodies on Excise administration only as proposals worthy of serious consideration?

A.—(a) Yes.

(b) The policy of Government is, as stated by the Collector, to consider the local demand when deciding the number and locality of shops. The recommendations of advisory committees are treated as proposals worthy of serious consideration.

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Mr. S. SATYAMURTI :—" Sir, with reference to clause (b) of this question, I must accept that I must have in a moment of forgetfulness agreed to the amendment made by your office. I have a report of the statement of the Collector of Tinnevely with regard to the policy of the Government in the matter contained in the *Swarajya* of the 7th November 1925 and there what the Collector says is 'We see to the recommendations of these bodies. Their recommendations are treated as pious hopes and not as serious proposals'. I am asking—I can understand the hon. Minister saying he wants notice—whether the Government agree with the declaration of policy of the Government made by the Collector of Tinnevely as mentioned in the report we have in which he has stated that their proposals are treated as pious hopes and not as serious proposals."

The hon. Rao Bahadur Sir A. P. PATRO :—" The answer is clear. The recommendations of advisory committees are treated as proposals worthy of serious consideration."

Action on the Excise Advisory Committee Report.

* 1246 Q.—Mr. S. SATYAMURTI. Will the hon. the Minister for Education be pleased to state what action, if any, he has taken or proposes to take on the report of the Excise Advisory Committee?

A.—The report of the Excise Advisory Committee has been placed on the table of the House so as to allow hon. Members an opportunity to discuss the Report before Government pass orders thereon.

Registration.

Representation of the barber's community in the Registration department.

* 1247 Q.—Mr. B. OBALESAPPA. Will the hon. the Minister for Education be pleased to state whether it is a fact that there is not even a single representative of the barber's community in the Registration department in the Ceded districts?

A.—The Government have no information, but have called for a report.

Clerical staff in the Registration department, South Arcot district.

* 1248 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Minister for Education be pleased to state—

(a) how many clerks working in the Registration department in the South Arcot district were thrown out of service in 1923, 1924 and 1925 and the reasons therefor; and

(b) the number of acting clerks at present, the period for which they have been acting and the reasons for their non-confirmation?

A—(a) Of the permanent clerks in the department, one was dismissed first but subsequently reinstated.

(b) There are now 32 acting clerks. Their acting service is as follows :—

Fifteen clerks above one year.

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Four clerks above six months but below one year.

Thirteen clerks below six months.

These acting clerks have not been confirmed for want of vacancies.

Agriculture.

Upper Subordinates in Coimbatore College Dairy.

* 1249 Q.—MR. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Development be pleased to state—

(a) the names of Upper Subordinates who have rendered satisfactory work in the Coimbatore College Dairy for a period of not less than one year ;

(b) how many of them are employed now in the live-stock section ; and

(c) how many there are now in the live-stock section who never did any work in the Coimbatore College Dairy and how many of them have had experience of dairy work elsewhere ?

A.—(a) K. Ramanuja Acharya and T. G. Anantarama Ayyar

(b) Both.

(c) There are 8 upper subordinates in the livestock section, all of whom have received training in the Agricultural College Dairy. Of these, four have worked in the Dairy since they joined the livestock section and another has had a post-graduate course in Dairying at Pusa.

Selection of candidates for training in the Bangalore institute of animal husbandry and dairying.

* 1250 Q.—MR. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Development be pleased to state—

(a) the number of applications received from the Upper Subordinates and Gazetted assistants for training in the Bangalore institute of animal husbandry and dairying ;

(b) how many of the applicants have had previous experience in Livestock section and Dairy work ; and

(c) whether any and if so, which of the latter have been deputed for training in the institute referred to above ?

A.—(a) Applications from one Assistant Director and two Upper Subordinates were received by the Director of Agriculture.

(b) All the applicants had some previous experience.

(c) None.

Number of calves born to cross-breed bulls in Madras.

* 1251 Q.—MR. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Development be pleased to state—

(a) the number of calves that were born to the cross-breed bulls stationed in Madras ;

(b) how and by whom they are inspected from time to time ; and

(c) the arrangements made by the Deputy Director of Livestock for verifying the accuracy of the reports of inspection ?

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- A.—(a) As it has not been found possible to keep a record of all such births since cattle are frequently sold or sent away for grazing, the actual number of births is not known. So far, however, 745 calves have been inspected by the department.
- (b) The Assistant Agricultural Demonstrator in charge of the breeding bulls at Madras personally inspects them.
- (c) A register is maintained and the Deputy Director, Livestock, checks the entries during his visits to Madras.

Co-operative Societies.

Names and qualifications of newly appointed Assistant Registrars in Co-operative Department.

* 1252 Q.—Mr. T ADINARAYANA CHETTIYAR: Will the hon the Minister for Development be pleased to state—

(a) the names and qualifications of the newly appointed Assistant Registrars in the Co-operative Department and the districts to which they have been posted;

(b) whether they have been given charge of their districts;

(c) how long they are to be on probation and what the nature of the training that is being given to them is; and

(d) whether there is any order issued to the effect that they should not be given charge of their duties for any definite period of time or that they should not be posted to those districts where they received their training?

A.—(a) The names and qualifications of the newly appointed Assistant Registrars of Co-operative Societies and the districts to which they have been posted are given below —

Names of Assistant Registrars	Qualifications.	District to which posted.
1. M.R.Ry. R Desika Acharya	Matric—Handwriting, Accounts (Higher), Translation (Lower), Typewriting (Elementary).	Manager, Registrar's office.
2. M.R.Ry. C Govindaswami Mudaliyar	Matric—Handwriting	.. South Arcot.
3. M.R.Ry. K. Narayanaswami Mudaliyar.	Do	.. Madras.
4. M.R.Ry. C. D. Samuel Pillai.	Matric—Handwriting and Police Sub Inspector's test.	Coimbatore.
5. M.R.Ry. M. M. Ramachandria Bhupathi.	Upper Secondary—Diploma in Commerce, Shorthand and Typewriting (Intermediate), Translation (Lower).	The Nilgiris.
6. M.R.Ry. P. Subramanyam	Matric—Handwriting, Dictation, Revenue and Accounts (Lower), Translation (Lower).	Kistna.
7. M.R.Ry. C. Kannan Nayar.	Secondary School-Leaving Certificate.	South Kanara.
8. M.R.Ry. N. Venkatarama Ayya.	Do. do.	Cuddapah.
9. M.R.Ry. C. Narayana Nair.	B.A.	Madura.
10. M.R.Ry. C. N. Krishnaswami Ayyar.	F.A., Prosis, Translation (Lower), Tamil and Kanarese Translation (Higher), Malayalam.	Salem.

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Name of Assistant Registrars.	Qualifications.	District to which posted.
11. M.R Ry. A. V. Narayana Pillai	M.A. (Honours)	Under training.
12. M.R.Ry. Kammalam-pundi Muthukrishna Nayudu.	B.A., B.L.	
13. Muhammad Hayat Sahib.	B.A., B.L.	
14. M.R Ry. S. Ganapati Appa Rao.	B.A. (Honours)	
15. M.R Ry. Saba Nilakantam.	B.A.	
16. M.R.Ry Joseph C. Ryan.	B.A. (Honours)	
17. M.R.Ry. Kesava Sarvothama Rao.	Do.	
18. M.R.Ry. K. Subrahmanyam.	Do.	

(b) Nos. 1 to 10—Yes.

Nos. 11 to 18—No.

(c) One year in the case of Nos. 1 to 10 and two years for Nos. 11 to 18.

No training was necessary in the case of Nos. 1 to 10 as they have all had several years' experience in the department.

The nature of the training given to Nos. 11 to 18 is indicated below.

First period.—Attached to local supervising unions; studying the constitution and method of work of primary societies and of unions; inspection of affiliated societies; study of certain prescribed co-operative literature.

Second period.—Organization, starting inspection and audit of societies with the help of inspectors; studying books on auditing.

Third period.—Learning office routine; work in the office of an Assistant Registrar in each branch for a definite number of days; perusal of papers that are sent to the Assistant Registrar, etc.

Fourth period. Work in a Deputy Registrar's office; touring with and undergoing training under a Deputy Registrar; audit of Central bank; perusal of files relating to organization of special types of societies, administration reports, etc.

Fifth period.—Quasi-independent charge of a district subject to the superintendence of the Deputy Registrar.

(d) No.

Mr. T. ADINARAYANA CHETTIYAR:—" May I ask the hon. the Minister for Development whether in the case of one of the gentlemen (Mr Narayanaswami Mudaliyar) promoted as Assistant Registrars, he received any complaint making serious allegations of bribery, incapacity, etc.?"

The hon. Diwan Bahadur Sir T. N SIVAGNANAM PILLAI:—" May I know when it was sent?"

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Mr. T. ADINARAYANA CHETTIYAR :—“ A copy of the mahazar was sent to me a month or so back. I presume the hon Minister should have received it about the same time.”

The. hon. Diwan Bahadur Sir T. N. SIVAGANAM PILLAI :—“ I want notice.”

Industries.

Application for State aid by the Shiyali Co-operative Agricultural and Industrial Society.

* 1253 Q.—Mr. V. PANTULO AYYAR. Will the hon. the Minister for Development be pleased to state—

(a) whether the Shiyali Co-operative Agricultural and Industrial Society, Limited, applied for State aid and, if so, what became of the application ;

(b) whether the Society made a request to the Registrar of Co-operative Societies to depute for its services a full time inspector till it could have a manager of its own and, if so, what action was taken upon it ; and

(c) whether the Government will be pleased to state whether they could lay on the table all papers connected with the application for Government grant to the Society and orders so far passed thereon ?

A.—(a) The society made an application but failed to furnish the Director with the preliminary information necessary to enable him to place it before the Board of Industries.

(b) Yes ; an inspector was deputed for the purpose for a period of nine months but the arrangement could not be continued without detriment to the other work of the Co-operative Department in the district.

(c) The application has not reached Government.

UNSTARRED QUESTIONS.

Civil Justice.

Location of Srirangam Munsif's Court at Lalgudi

1254 Q.—Mr. T. M. NARAYANASWAMI PILLAI : Will the hon. the Law Member be pleased to state—

(a) whether the people of Lalgudi and the north-eastern portion of Trichinopoly have memorialized the Government for the location of the Srirangam District Munsif's Court at Lalgudi ;

(b) if so, what steps have been taken by the Government in the matter ; and

(c) whether the Government intend locating the court at Lalgudi or not ?

A.—(a) Yes.

(b) & (c) The memorials have been forwarded to the High Court. Under section 5 of the Madras Civil Courts Act, it is for the High Court to determine the location of District Munsifs' Courts.

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Location of a District Munsif's Court at Anantapur.

1255 Q.—Mr. G. RAMESWARA RAO. Will the hon. the Law Member be pleased to state—

(a) whether any memorial was sent to the Government through the District Judge and the Collector by the inhabitants of Anantapur and adjacent taluks praying for the location of a District Munsif's Court at Anantapur; and

(b) whether the matter was reconsidered by the Government and if so, with what result?

A.—(a) The Government received a memorial through the Collector of Anantapur.

(b) The memorial was forwarded to the High Court as, under section 5 of the Madras Civil Courts Act, it is for the High Court to fix the location of District Munsifs' Courts.

Irrigation.

Report of the Ceded Districts Irrigation Committee on the Tungabhadra project.

1256 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Law Member be pleased to state—

(a) whether the Ceded Districts Irrigation Committee submitted their report on the Tungabhadra project;

(b) whether they recommended the omission of the Nellore part or the Lower Pennar canals system from the scope of the Tungabhadra project;

(c) whether the scope of reference to that Committee empowered them to suggest schemes to the detriment of irrigation in districts other than the Ceded districts;

(d) whether the Government have taken any, and if so, what steps, to safeguard the interests of irrigation in other districts before considering the proposals made by the Ceded Districts Irrigation Committee;

(e) whether the Ceded Districts Irrigation Committee recommended that the Sangameswaram project should be dropped for the present;

(f) whether the Sangameswaram project is not calculated to benefit the Ceded districts as also other districts in the Presidency including Kistna, Guntur and Nellore; and

(g) whether before considering the suggestions of the Ceded Districts Irrigation Committee to drop the Sangameswaram project, the Government will consult the interests of the other districts affected by that project?

A.—(a) The Committee has sent in a preliminary report which will be laid on the table. It is not a report on the Tungabhadra Project though it refers to it amongst other irrigation works.

(b) Yes.

(c) Yes.

(d) The Government have not yet considered the report in detail; they are waiting for the final report which is to be sent in a month. The hon. Member surely needs no assurance that the Government would not approve of any proposal alleged to be detrimental to other districts without careful consideration of the interests of such other districts.

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- (e) No.
 (f) Yes.
 (g) The project will not be dropped without full consideration.

Improvement of the Buckingham canal.

1257 Q.—Mr. C. MUTTAYYA MUDALIYAR : With reference to the answer given on the 15th October 1924 to question No. 886 (4) regarding the Buckingham canal, will the hon. the Law Member be pleased to state—

- (a) how the petition was disposed of by the Superintending Engineer ; and
 (b) whether the Government will provide adequate funds for the improvement of the canal in the next budget?

A.—(a) The Superintending Engineer reported in December 1924 that silt clearance had been done as far as possible and that the canal had been made quite navigable. Such difficulty as was experienced by boatmen was due to the unusually low level of the water in 1924.

- (b) The Chief Engineer has asked for a provision of Rs. 2,73,000 which is nearly half a lakh above the average spent in the last three years. The Government consider this adequate to keep the canal open. As a rule it is, and will be, liable to be blocked occasionally when heavy rains deposit a large amount of silt, or the water is exceptionally low ; but to ensure its being navigable throughout on every day of the year would involve a very large expenditure on dredgers, which the Government are not disposed to incur as the canal is not a profitable one.

Famine.

Sufferings of people in the Periyar tract.

1258 Q.—Mr. A. CHIDAMBARA NADAR : Will the hon. the Member for Revenue, the hon. the Home Member and the hon. the Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that there is no rain in the Periyar tract, north of Mēlūr taluk, and whether many people have emigrated to Ceylon and other places ;
 (b) whether it is a fact that dry crops alone are cultivated in the tract ;
 (c) whether the Government have levied water-rate in the tract ;
 (d) whether it is a fact that there is scarcity of drinking water ; and
 (e) whether the Government have taken any steps to alleviate the sufferings of the people ?

A.—(a) There has been no dearth of rain in the Periyar tract north of Mēlūr. Mēlūr had 10·7 inches during October and November. The Government have no information concerning the alleged emigration of the people to Ceylon and other parts.

- (b) The Government have no information on this point.

(c) Yes, if the crops have been irrigated with Government water.

- (d) & (e) The Government are not aware of any scarcity of drinking water, nor of any sufferings of the people.

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Famine conditions in Coimbatore and Salem districts.

1259 Q.—Mr. V. C. VELLINGIRI GOUNDER : Will the hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to the present famine conditions prevailing in certain taluks in Coimbatore and Salem districts;

(b) whether it is a fact that a Member of the Board of Revenue recently visited Coimbatore to understand the situation;

(c) if so, what steps the Government have taken or propose to take to relieve the situation; and

(d) whether it is a fact that the scales of wages fixed in the Famine Codes for all kinds of labours have continued till now?

A—(a) to (c) Famine conditions do not prevail in the Salem district. As regards the Coimbatore district, the attention of the hon. Member is invited to the statement made by the hon. the Revenue Member in answer to question No. 963 at the last meeting^a of the Council. The Famine Commissioner toured in the affected parts of the district in the beginning of November 1925, and on his recommendation the Government sanctioned an additional allotment of three lakhs of rupees for grant of loans in the Coimbatore district in addition to the sum of Rs. 4,13,500 which had been allotted to the district previously. The Government have sanctioned the grant of concession of railway rates for the export of paddy straw from the Tanjore district to the affected areas in the Coimbatore district. An allotment of Rs. 5,500 has been sanctioned for the opening of three test works all of which were opened during the week ending 5th December 1925.

(d) The scale of cash wages is based on the price of grain and varies with it automatically. The scale for class III workers was raised in 1923 and the scale for all workers has been improved by the adoption of cleaned grain as the standard.

Famine conditions in Salem and Coimbatore.

1260 Q.—Mr. V. C. VELLINGIRI GOUNDER. Will the hon. the Member for Revenue be pleased to state whether he would be able to lay on the table of the House the reports of the Collectors of Salem and Coimbatore regarding famine conditions, and of the reports of the hon. Members of the Board of Revenue upon the same, and also final orders passed thereon by Government?

A.—Government Orders No. 1748, Revenue, dated 9th November 1925, No. 1969, Revenue, dated 17th December 1925, No. 156, Revenue, dated 28th January 1926 and No. 39, Revenue, dated 6th January 1926, which contain the reports of the Collectors of Coimbatore and Salem and the Board of Revenue on the subject are laid on the table^b.

^a Held on the 6th November 1925.

^b Printed as Appendix VII on pages 126-137 infra.

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Land Revenue.*Assignment of lands to depressed classes in Guntur district.*

1261 Q.—Mr. G. PREMAYYA : Will the hon. the Member for Revenue and the hon'ble the Home Member be pleased to state—

(a) how many acres of land have been (i) set apart and (ii) assigned to depressed class people through the Labour Department ever since it came into existence in Guntur district ;

(b) whether it is a fact that the District Labour Officers consult the caste ryots and the village officers when any question of assignment has to be dealt with ; and

(c) whether the best plots of lands included in the '*Reserved list*' have been deleted and recommended for the caste ryots ?

A.—(a) An extent of 47,873·81 acres of land has been reserved for and 16,891·01 acres assigned to the depressed classes up to 31st March 1925 in the Guntur district.

(b) It is the Collectors and not the District Labour Officers who deal with cases of assignment of land. Under the rules village officers have to report on all darkhast applications including those from depressed classes. All proposals to assign lands whether reserved or not are required to be published in the village to enable all persons interested to put in objections to the assignment.

(c) The Government are not aware that this is the case.

Prohibition of assignment of lands to aliens

1262 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether Government have passed orders prohibiting assignment of lands on darkhast or otherwise to aliens and if so, when ;

(b) what is the exact scope of the orders, and on what grounds they are passed ;

(c) what was the previous policy of Government as to aliens in this respect ; and

(d) what are the reasons for change of the policy ?

A.—(a) & (b) The hon. Member is referred to the terms of Board's Standing Order No. 15 (paragraph 23) and notes under Board's Standing Orders Nos 16, 17, 19, 19-a, 21, 22, 45, 90 (paragraph 32), 91 (paragraph 4).

(c) & (d) Under Regulation XIX of 1802 Government sanction was required for the acquisition of land by any European in India. By the Government of India Act, 1833, natural born subjects of His Majesty authorized to reside in India could hold lands for any term of years but not in perpetuity. By the property in Land Act, 1837, it was made lawful for any subject of His Majesty to hold land in India in perpetuity. In 1869, sections 3 to 6 of Regulation XIX of 1802 were repealed and all restrictions on the holding of land by Europeans in India removed. The situation created by the

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war suggested the expediency of reconsidering the matter and in 1917 the Government issued orders for inserting a note in a number of Board's Standing Orders to the effect that—

“No land belonging to Government shall be assigned or sold under this Standing Order to any person other than a British subject or a subject of a Native State, except by the Collector or the Board and with the previous permission of Government. Every assignment or sale made under this Standing Order shall be subject to the condition that, if the land is alienated without the sanction of Government in favour of any person other than a British subject or a subject of a Native State, the grant shall thereupon become null and void.”

Survey.

Resurvey in the deltaic tracts of Godavari and Kistna districts.

1263 Q.—RAO BABADUR C. V. S. NARASIMHA RAJU : Will the hon. the Member for Revenue be pleased to state—

- (a) with reference to the resurvey that is now going on in the deltaic tracts of West Godavari, East Godavari and Kistna districts, whether the block survey of 1892 or the original survey of 1862 is adopted as documentary evidence ;
- (b) whether the block survey of 1892 was condemned as defective ;
- (c) whether resurvey was ordered to be done afresh after having condemned the block survey of 1892 ; and
- (d) whether the block survey of 1892 or the original survey of 1862 is reliable, and which survey is now relied upon in the present resurvey to see that porambores have not been encroached upon ?

A.—(a) In cases where the recorded measurements of the block survey of 1892 or the original survey of 1862 can be relied with reasonable certainty on the ground, these measurements are taken as evidence in disputed or doubtful cases.

(b) Yes, as a whole.

(c) Yes

(d) As stated in the answer to clause (a) there are cases where the recorded measurements of these surveys afford useful evidence of the correct boundary in disputed or doubtful cases, where encroachment on porambores is alleged or suspected.

Forests.

Assessment, receipts, etc., of Forest department.

1264 Q.—MR. G. RAMESWARA RAO : Will the hon. the Home Member be pleased to state in a tabulated form in terms of Statement VI—Finance, appended to G.O. No. 499, Development, dated 21st March 1924,—

- (a) the assessment payable by forest panchayats ;
- (b) the receipts by the Forest department ;
- (c) the charges and costs (i) that could be saved, (ii) that have been saved by the Forest department ;

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(d) the difference between (b) and (c), as regards all the areas of reserves which have been handed over to panchayat management till the end of 31st March 1925 and till the end of 30th September 1925; and

(e) the difference between (a) and (d)?

A.—The statement ^a is appended. Information as regards clause (c) (i) is not available as the total area of reserved forests which can be handed over has not yet been decided.

Forest Panchayat staff in Anantapur district.

1265 Q.—Mr G. RAMESWARA RAO. Will the hon. the Home Member be pleased to state—

(a) whether any Forest Panchayat staff is deputed to work in the Anantapur district; and

(b) if so, when it will commence its operations?

A—(a) & (b) A special Deputy Tahsildar is likely to be posted to Anantapur district for panchayat work in the near future.

Labour.

Appointment of clerks in Labour department from depressed classes

1266 Q.—Mr. G. PREMAYYA. Will the hon. the Home Member be pleased to state the number of depressed class people employed in the clerical staff (a) in the Labour Commissioner's office at Madras, (b) in the District Labour offices in the mufassal, and (c) in the executive staff of the Labour department?

A.—(a) Four.

(b) One.

(c) Thirty-four.

Acquisition of lands in Andhra districts.

1267 Q.—Mr. G. PREMAYYA: Will the hon. the Home Member be pleased to state—

(a) whether most of the acquisitions in Andhra districts are arranged by private negotiations rather than by enforcing the Land Acquisition Act;

(b) if so, why;

(c) whether in fixing the price by negotiation, District Labour Officers have not been guided by the ruling prices of lands in the locality; and

(d) whether this has resulted in loss to the Government?

A.—(a) Land was acquired by private negotiation only in 124 out of 602 cases of land acquisition in the districts of Godavari, Kistna and Guntur since the special operations of the Labour department were started in them.

(b) Does not arise.

(c) Yes.

(d) No.

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Alleged favouritism of District Labour Officers to some contractors.

1268 Q.—Mr. G. PREMAYYA: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that the District Labour Officers have got a selected set of contractors to whom they always entrust works, such as excavation of wells and tanks, etc., sanctioned for the depressed class people;

(b) whether almost all the depressed class people are labourers themselves, who work for others, during all the seasons; and

(c) whether the selected contractors are being paid money as advance before the work is actually started; and if so, why the same concession should not be extended to the depressed class people?

A.—(a) The works are not generally given to selected contractors. Except in the Bellary district where the works are executed through the agency of local bodies, they are entrusted to the local Adi-Dravidas and Adi-Andhras in some districts, while in others they are given to contractors who accept reasonable rates or who give the lowest tender. Wherever possible works are given to field labourers' co-operative societies.

(b) Yes.

(c) Advances are given to contractors only in the Guntur and East Godavari districts. Such advances are given for works under execution wherever necessary and recovered when part or final bills are paid. This concession is given to the Adi-Andhra contractors also.

Finance.

Additional taxation after the Reforms.

1269 Q.—Mr. P. C. VENKATAPATI RAJU. Will the hon. the Member for Finance be pleased to state the amount of additional taxation imposed on the province after the Reforms?

A.—The attention of the hon. Member is invited to the answer to question No. 1459 given at the meeting of the Legislative Council held on the 6th December 1924.

No new taxation has been imposed since that answer was given. In the following cases, rates have been increased:—

(a) Resettlement rates have been introduced in the following places:—

Places in which resettlement rates have been introduced.	Year of introduction of revised rates.	Amount of additional revenue anticipated RS.
Black-soil taluks of Bellary and Anantapur—		
(a) Land irrigated by the Tungabhadra.	1923-24	5,861
(b) Other land	1924-25	1,67,821
Red-soil taluks of the Bellary district.	1924-25	76,000 *
Kadarambam area of the Trichinopoly district except river irrigated land.	1924-25	1,77,752
River irrigated land in the Kadarambam area.	1925-26	18,451

* Collection of increased assessment for fasli 1334 (1924-25) postponed to fasli 1335 (1925-26).

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- (b) The duty on country spirits has been raised in the Polavaram Division from 14 annas to Re. 1 per gallon of 60° U.P. liquor and in the Bhadrachalam and Nugur taluks from 6 annas to 8 annas per gallon

Additional expenditure owing to Lee Commission proposals.

1270 Q.—Mr. P. C. VENKATAPATI RAJU. Will the hon. the Member for Finance be pleased to state—

(a) the amount of additional expenditure incurred in this province during the current year owing to the Lee Commission proposals; and

(b) the additional expenditure estimated for the next year on the same account?

A.—(a) & (b) The additional expenditure caused by giving effect to the Lee Commission's recommendations is estimated at about 5·75 lakhs in each of the years 1925–26 and 1926–27.

Local Boards and Municipal Councils.

Dissolution of the Kalligudi union board.

1271 Q.—Mr. A. CHIDAMBARA NADAR. Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the union board of Kalligudi, Madura district, has been dissolved;

(b) if so, whether this decision has been published in the *Port St George Gazeite*;

(c) whether there was any fund left belonging to the board; and

(d) if so, what has become of it, and why it was not utilized for the people in the firka?

A.—(a), (b), (c) & (d) The union board of Kalligudi has not been dissolved.

Issue of G.O. No 3597, L. & M., regarding village panchayats.

1272 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the circumstances under which the Government passed G.O. No. 3597, L. & M., dated 3rd October 1925, in regard to village panchayats;

(b) whether before issuing G.O. No. 3597, L. & M., dated 3rd October 1925, the Government consulted all or any of the following:—

(1) Advisory Committee of Local and Municipal Administration,

(2) Registrar-General of Panchayats,

(3) Collectors of districts,

(4) Presidents of local boards; and

(c) if so, the opinions given by those respective bodies or officers?

A.—(a) The aim of the Government Order is indicated in paragraph 1 thereof.

(b) & (c) The Government Order was issued after discussion with the Registrar-General of Panchayats.

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Medical.

Opening of new dispensaries in the Presidency.

1273 Q.—Mr. C. MUTTAYYA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many new dispensaries were opened under the new scheme for medical relief all over the Presidency;

(b) whether the opening of these dispensaries in each district has brought about better results than before; and

(c) whether sub-assistant surgeons are easily available to be in charge of these dispensaries?

A—(a) The Government have sanctioned the opening of 229 dispensaries. The reports so far received from the local boards show that 159 dispensaries have actually been opened.

(b) As most of the dispensaries were only opened during the current year, it is not possible at present to form any opinion of the working of the scheme

(c) Local boards have, in some cases, reported that they have experienced difficulty in securing qualified men for the dispensaries.

Closing of local fund dispensaries for certain days in a week.

1274 Q.—Mr. C. MUTTAYYA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that in some places the sub-assistant surgeons of the local fund dispensaries are asked to close the dispensaries for one or two days in a week and go out to the neighbouring villages for itinerary work; and

(b) whether it is a fact that the patients of those dispensaries suffer much on account of such closure and the dispensaries are getting more unpopular giving less number of daily attendance than before?

A.—(a) Relevant extracts^a from Government Orders Nos. 1354-A, P.H., dated 19th October 1921, and 1606, P.H., dated 28th November 1921, are placed on the table.

(b) The Government have no information.

Public Health.

Revision of pay of vaccinators.

1275 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Local Self-Government be pleased to state, with reference to the answer given to the question No. 467 put at the meeting of the Council held on 26th August 1925—

(a) what proposals have been submitted by the Director of Public Health for the revision of pay of vaccinators and for improving the efficiency of the vaccination staff;

(b) what action Government have taken or propose to take in order that Local Boards and Municipalities appoint duly qualified vaccinators and pay them adequately;

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(c) whether the appointments by local bodies in South Kanara satisfy the required conditions ; and

(d) if not, what action Government propose to take ?

4.—(a) The Director of Public Health has suggested that a minimum scale of pay should be fixed for vaccinators, and that local bodies should be authorized to give enhanced rates according to local conditions. The minimum scales suggested by the Director of Public Health are .—

First-class vaccinators ... Rupees 50—1½—65 plus Rs. 15 fixed travelling allowance.

Second-class vaccinators... Rupees 35 for the first year of probation and Rs. 40—1—50 plus Rs. 15 fixed travelling allowance on confirmation.

He has promised to submit proposals to improve the efficiency of the vaccination staff after he has received replies from all local bodies to the circular issued by him.

(b) The proposals of the Director of Public Health for the revision of the pay of vaccinators have been communicated to all local bodies. They have been requested to inform the Government through the Director of Public Health whether they are willing to revise the pay of the vaccinators in their employ and, if so, whether they are prepared to accept the rates suggested by the Director of Public Health. Further action in the matter will be taken after the replies of local bodies have been received.

(c) Particulars received from the District Health Officer, South Kanara, show that of the 18 vaccinators employed under the local bodies in the South Kanara district, four are duly qualified, ten were exempted from the educational qualifications and retained in service after the reorganization of the vaccination department in 1918, two were exempted in 1924, and the remaining two, who are temporary vaccinators, are unqualified.

(d) The matter will be considered as soon as the remarks of the President, District Board, South Kanara, on the proposals of the Director of Public Health have been received. Under the Local Boards and District Municipalities Acts, the responsibility for appointing duly qualified vaccinators and giving them adequate rates of pay rests entirely with the local bodies themselves.

Cases of enteric and deaths thereby in Mangalore.

1276 Q.—Mr. J. A. SALDANHA Will the hon. the Minister for Local Self-Government be pleased to place before the House a statement showing the number of cases of enteric and deaths thereby in the town of Mangalore in the years 1924 and 1925 (up to date) and to state—

(a) to what causes, in the opinion of the medical and health authorities, the cases of enteric are attributed ;

(b) whether Government have had before them schemes for water-supply for the town ;

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- (c) what steps have been taken to carry them out ;
- (d) what the amount of the contribution which Government are prepared to pay is and in what shape ;
- (e) whether Government have been furnished with town-planning schemes by the municipality of Mangalore and the district local board for the town and suburbs in order to prevent the building of houses without proper roads, open spaces and overcrowding and insanitary conditions ; and
- (f) whether Government have issued orders or propose to pass orders for expediting submission of such town-planning schemes ?

4.—Deaths from enteric were not registered separately before January 1925. The number of deaths from enteric from January up to October 1925 amounted to 60 as shown below :—

Number of deaths			Number of deaths.		
January	...	2	August	...	5
February	...	2	September	..	15
March	...	9	October	...	5
April	...	2			—
May	...	7	Total	...	60
June	...	4			—
July	...	9			

- (a) The prevalence of the disease is due mainly to the unsatisfactory nature of the water-supply which is derived from wells liable to contamination.
- (b) Yes.
- (c) After an examination of all the possible sources of a protected water-supply for Mangalore it has been decided that the Hassamar springs are likely to prove the most suitable source and investigation of the scheme is now in progress.
- (d) The question of making a grant from Provincial funds towards the cost of the scheme can be considered only after the investigation has been completed.
- (e) No.
- (f) The inspection notes of the Director of Town-Planning, dated 25th February 1924, on town-planning schemes in Mangalore are still under the consideration of the Municipal Council. The Government have recently asked the Council to draw up a list of town-planning schemes in respect of which action has to be taken under the Madras Town-Planning Act, 1920, and to proceed to take action as laid down in sections 9 and 10 of the Act.

Grant for rural water-supply.

1277 Q.—Mr. K. SITARAMA REDDIYAR : Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) the grant made in the current year for each district for rural water-supply ;
- (b) the date of communication to the presidents of district boards of the order sanctioning the grant ;

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(c) whether it is a fact that Government insist on a contribution by the local bodies in the district of an amount more or less equal to the amount of grant ;

(d) whether it is a fact that the best season for the sinking or digging of wells is between June and September of a year ;

(e) whether representations have been made by presidents of local boards that extension of time beyond the date fixed in the Government Order sanctioning the grant is necessary for the proper utilization of the Government grant and the share of the local bodies ; and

(f) what the Government propose to do with such representations ?

A.—(a) & (b) A statement ^a giving the information required is placed on the table.

(c) Yes.

(d) The season most suitable for sinking wells varies with the locality. Speaking generally, the dry season is the best time as less pumping has to be done.

(e) & (f) Requests for extension of time have been received from a few presidents and are under the consideration of the Government.

Religious and Charitable Endowments.

Members of the Hindū Religious Endowment Board also elected members of the Madras Corporation.

1278 Q.—MR. G. RAMESWARA RAO : Will the hon. the Minister for Local Self-Government be pleased to state whether any member of the Hindu Religious Endowment Board is an elected member of the Madras Corporation and whether he sought and obtained the permission of the Government before he stood for election ?

A.—M.R.Ry. P. V. Nataraja Mudaliyar Avargal, a member of the Board of Commissioners for Hindu Religious Endowments, has been elected as a Councillor of the Corporation of Madras. He addressed the Government before he stood for election and he was informed that there was no objection to his standing.

Education.

Extension of the Ceded Districts College.

1279 Q.—MR. G. RAMESWARA RAO : Will the hon. the Minister for Education be pleased to state—

(a) whether the plans and estimates for extending the Ceded Districts College have been approved ;

(b) whether the allotment required for the purpose has been made ; and

(c) when the building work is likely to be commenced ?

A.—(a) to (c) The question of providing funds for the scheme will be examined in connexion with the budget for 1926-27. It is now too early to say when work will be commenced.

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Excise.

Tax on coconut trees.

1280 Q.—**Mr. V. PANTULU AYYAR:** Will the hon. the Minister for Education and the hon. the Member for Revenue be pleased to state—

(a) when the tax on coconut trees was raised to the present rate;

(b) what were the rates prior to the present one and since 1894;

(c) what was the annual income derived from this tax before and after the existing levy for each district in the Province and for each taluk in the district of Tanjore especially;

(d) whether the Government will be pleased to collect figures wanted in (c) and place them on the table if information is not immediately available; and

(e) what was the revenue for the Abkari branch of administration from coconut trees left for tapping purposes for the corresponding period and for the areas mentioned in (c)?

A.—(a) From fasli 1332 (1922–1923).

(b) The hon. Member is referred to the following statement:—

District.	Rates of tree-tax prior to revision in 1921 Coconut.	Rs. A. P.	District.	Rates of tree-tax prior to revision in 1921 Coconut.	Rs. A. P.
1. Anantapur	1 0 0	14. Kurnool ..	..	..
2. Aroot, North	0 1 9	15. Madras ..	..	..
3. Aroot, South	0 2 0	16. Madura ..	..	0 2 5½
4. Bellary	0 1 9	17. Malabar ..	..	0 6 8
5. Chingleput	0 2 0	18. N.lore ..	..	0 6 0
6. Chittoor	0 4 0	19. Nilgiri's, The ..	..	..
7. Coimbatore	0 1 9	20. Ramnad ..	..	0 2 0
8. Cuddapah	0 2 0*	21. Salem ..	..	0 4 0†
9. Ganjam	0 2 0	22. Tanjore ..	..	0 2 0
10. Godavari	0 12 0	23. Tinnevely ..	..	0 1 3
11. Guntur	0 4 0	24. Trichinopoly ..	..	0 2 0
12. Kanara, South	25. Vizagapatam ..	..	0 4 0
13. Kistna	0 1 0			1 0 0
	..	3 0 0			
	..	0 4 0			
	..	0 8 0†			

* Madanapalle and Vayalpad taluks.

† Narasapur taluk.

‡ Paramakudi taluk.

(c) & (d) The revenue derived from all classes of taxed trees is given in the following statement. Separate figures for coconut trees in the several districts are not available:—

District.	Fasli 1331 (Before revision).	Fasli 1332 (After revision).
	Rs.	Rs.
Ganjam ..	393	489
Vizagapatam ..	110	73
Godavari ..	49	126
Kistna ..	239	602
Guntur ..	116	89

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District.	Fasli 1331 (Before revision).				Fasli 1332 (After revision).			
	RS.				RS.			
Nellore	3,054				3,118			
Cuddapah	67				161			
Anantapur	177				163			
Bellary	718				1,619			
Kurnool	956				1,489			
Madras	588				814			
Chingleput	7,420				14,704			
Chittoor	3,853				11,174			
North Arcot	12,382				22,040			
South Arcot	29,674				64,539			
Tanjore	56,035				1,46,610			
Trichinopoly	31,254				74,325			
Madura	11,957				25,621			
Ramnad	2,291				8,901			
Tinnevely	31,291				39,773			
Coimbatore	13,806				29,621			
The Nilgiris	1				1			
Salem	21,604				51,720			
South Kanara	325				649			
Malabar	2				2			

The revenue from coconut trees in the Tanjore district before revision was Rs 27,793 and after revision Rs. 88,938. Figures for each taluk are not available.

- (e) The amount of abkari revenue from coconut trees for the periods and areas mentioned in clause (c) is not available. The information is available for fasli 1334 and it is given in the following statements:—

Statement showing the revenue received (tree tax, i.e., tapping fees) from the Abkari branch of Administration from coconut trees in each taluk of the Tanjore district for the fasli 1334 (1st July 1924 to 30th June 1925).

Taluk.	Amount.			Taluk.	Amount.		
	RS.	A.	P.		RS.	A.	P.
Nannilam ..	1,05,763	8	0	Tirutturaip-	70,470	0	0
Mannargudi ..	88,623	0	0	pundi.			
Mayavaram ..	1,06,272	0	0	Pattukottai ..	81,144	0	0
Shiyali ..	62,478	0	0	Arantangi ..	16,816	8	0
Kombakonam.	1,25,019	0	0				
Papanasam ..	84,060	0	0		9,89,626	8	0
Tanjore ..	1,37,178	0	0				
Negapatam ..	1,11,802	8	0				

Statement showing the revenue received (tree tax, i.e., tapping fees) for the Abkari branch of the Administration from coconut trees for fasli 1334 (1st July 1924 to 30th June 1925).

District.	Amount.			District.	Amount.		
	RS.	A.	P.		RS.	A.	P.
Ganjam ..				Chittoor ..	51,853	8	0
Vizagapatam ..				North Arcot ..	2,57,881	8	0
East Godavari ..				South Arcot ..	2,14,231	8	0
West Godavari ..				Tanjore ..	9,89,626	8	0
Kistna ..				Trichinopoly ..	3,02,161	8	0
Guntur ..	6,565	8	0	Madura ..	1,91,110	8	0
Nellore ..	25,384	8	0	Ramnad ..	1,56,240	0	0
Cuddapah ..	67	8	0	Tinnevely ..	28,327	8	0
Anantapur ..				Coimbatore ..	6,27,151	8	0
Bellary ..				The Nilgiris ..			
Kurnool ..				Salem ..	5,34,163	8	0
Madras ..	4,90,258	2	0	South Kanara.	2,51,464	8	0
Chingleput ..	4,12,211	4	0	Malabar ..	3,60,418	8	0

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Registration.

Work of the Sub-Registrars in Kurnool district.

1281 Q.—MR. K. SARABHA REDDI: Will the hon. the Minister for Education be pleased to state—

(a) whether Sub-Registrars and their establishments in the Kurnool district have been able to get through their work within the limits of time prescribed by the department ;

(b) whether there is an order that Sub-Registrars should personally attend to a portion of the copying work of their office ; and

(c) if so, how many documents each Sub-Registrar in the Kurnool district fair-copied during the last three years ?

A.—The Government have no information, but a report has been called for.

Quarters for officers in Giddalore and Dhone.

1282 Q.—MR. K. SARABHA REDDI: Will the hon. the Minister for Education and the hon. the Member for Revenue be pleased to state —

(a) whether it has come to the notice of Government that the different officers in Giddalore village of the Kurnool district have been suffering much for want of proper housing accommodation and water facilities ; and

(b) why in Dhone, quarters for the Sub-Registrar and his establishment are not constructed along with those of the Revenue Department ?

A.—(a) The hon. Member presumably has in mind officers of the Revenue and Registration departments. No representation has been received on the subject

(b) The Government will consider the question if and when the necessity for quarters is felt.

Party shed in Sub-Registrars' offices.

1283 Q.—MR. K. SARABHA REDDI: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that orders have been issued that stamp vendors, document writers and parties should not make use of the veranda of Sub-Registrars' offices for their professional business ;

(b) if so, whether every Sub-Registrar's office has a party shed ; and

(c) if not, how the Government will provide accommodation to these people ?

A.—(a) Document writers and stamp vendors are prohibited from using the verandas of sub-registry offices or the parties' sheds for carrying on their professional business. The prohibition does not extend to—

(i) the carrying out of corrections in documents by document writers at the instance of parties, when necessary, in the verandas or in the parties' shed ; and

(ii) the sale of stamps by stamp vendors who have been specially licensed to sell them in those places.

Parties are allowed free access to both the parties' shed and the verandas.

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(b) No.

(c) Parties' sheds for sub-registry offices are generally constructed in the West Coast districts where the rainfall is heavy. In other districts, they are erected only in cases where sufficient shelter is not provided in the office verandas or compound.

Agriculture.

Opening of new agricultural farms.

1284 Q.—MR. C. MUTTAYYA MUDALIYAR: Will the hon. the Minister for Development be pleased to state the places where the Government propose to start new agricultural farms next year or in the near future?

A.—It is proposed, if funds become available, to extend the Anakapalle station for undertaking work on sugarcane during 1926-27. The Government have also under their consideration the opening of farms in the Trichinopoly and Ganjam districts but are unable to say when these schemes will be given effect to.

Industries.

Grants to both small and large industries.

1285 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) what the policy of Government is as to the grants of loans or other aids to small as compared with large industries; and

(b) whether it is their policy to let small industries shift for themselves and to help large industries?

A.—The Madras State Aid to Industries Act, 1922, does not preclude small industrial enterprises from applying for aid under the Act. All applications for aid are considered on their merits and funds have been available so far to meet all approved applications.

[Note—An asterisk (*) at the commencement of a speech indicates revision by the member.]

III

ADJOURNMENT MOTION REGARDING COLOUR BAR BILL IN SOUTH AFRICA.

MR. S. SATYAMURTI:—"Sir, I rise to ask for leave to make a motion for the adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, viz . . ."

12-16
P.M.

* The hon. the PRESIDENT:—"I will read out the written statement given by the hon. Member. The hon. Member desires to move the adjournment of the business of the Council to discuss the following matter of urgent public importance: 'The critical position of Indians in South Africa, a large number of whom belong to this Presidency, brought about by the passing of the Colour Bar Bill and by the progress of the Areas Reservation, Immigration and Registration (further provision) Bill in the Legislature there, with a view to the local Government representing to the Government of India the urgent and imperative need of their bringing pressure to bear on the South African Government to a Round Table Conference before these Bills are

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proceeded with further, and failing which to urge the Government of Great Britain to advise His Majesty the King to veto the Bills if they are finally passed'.

"I have to see further whether the matter to be discussed is in order. I consider that it is in order. I am now to ask whether the hon. Member has the leave of the House to move it and whether any special objection is being taken to discuss this motion."

* Mr. S. SATYAMURTI :—" Before you allow this motion, Sir, I want to say a word. As to-day is set apart for the discussion of the report of the Excise Advisory Committee and as this matter can wait for 24 hours without serious damage, may I request you to take it up to-morrow at 2-30 p. m.?"

* The hon. the PRESIDENT :—" As a rule, I would prefer urgent motions being discussed the same day on which leave is asked for their discussion, unless, of course, there are countervailing objections. As no objection is taken to this motion, I declare 2-30 p.m. to-day for this motion being taken up "

IV

COMMUNICATIONS TO THE COUNCIL.

(a)

The SECRETARY laid on the table copies of the following Government Orders :—

(1)^a G.O. No. 1562, Development, dated 31st October 1925, recording the audit report and accounts of the Kerala Soap Institute, Calicut, for the year 1924-25.

(2)^b G.O. No. 1588, Development, dated 6th November 1925, passing orders on the audit report and accounts of the Nilambur Valley forests for the year ending 31st March 1924.

(3)^c G.O. No. 1745, Development, dated 5th December 1925, recording the audit report and accounts of the Industrial Engineer's Workshops, Madras, for 1924-25.

(4)^d G.O. No. 53, Development, dated 12th January 1926, recording the accounts of the Industrial Engineer's Workshop for the half-year ending 30th September 1925.

(b)

The SECRETARY laid on the table copies of the proceedings^e of the seventh and eighth meetings of the Finance Committee for 1925-26 held on 12th and 17th December 1925, respectively.

(c)

The SECRETARY laid on the table copies of the list^f of posts on Rs. 500 per mensem and above created during the quarter ending September 1925.

^a Laid on the Editors' Table

^b Do.

^c Do.

^d Printed as Appendix XI on pages 139-142 infra.

^e " " XII on pages 143-158 infra.

^f " " XIII on pages 158-162 infra.

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(d)

With reference to the answer given to question No. 929 at the meeting of the Legislative Council held on the 3rd November 1925, the SECRETARY laid on the table copies of Preliminary Report^a of the Ceded Districts Irrigation Committee with the remarks of the Chief Engineer for Irrigation thereon.

V

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The hon. the PRESIDENT announced that the undermentioned Acts which were passed by the Council received the assent of His Excellency the Governor on the dates noted against each:—

The Andhra University Act ... 15th December 1925.
The Indian Ports (Amendment) Act ... 21st December 1925.

VI

NON-OFFICIAL BUSINESS.

^b RESOLUTIONS ON THE REPORT OF THE EXCISE ADVISORY COMMITTEE.

* Mr. S. SATYAMURTI:—"Sir, the resolution that stands in my name runs as follows:—

'That this Council expresses its dissatisfaction with the wholly inadequate recommendations of the Excise Advisory Committee and recommends to the Government that they should declare their policy to be the total prohibition of the manufacture, consumption or sale of alcoholic liquor and that they should take immediate steps, specifically, to bring about total prohibition?'"

* The hon. the PRESIDENT:—"The House will recollect that a large number of motions were moved with regard to the report of the Excise Advisory Committee in the last meeting of the Council and it was agreed that these motions should be taken up on the first non-official day. Before I allow the discussion to proceed, I will content myself at this stage with saying that I shall allow the discussion to range over all the resolutions that have been moved and over the discussion on the amendments to each of these resolutions and then finally put one resolution after another."

* Mr. S. SATYAMURTI:—"Sir, the first part of this resolution deals with the nature of the recommendations of the Excise Advisory Committee Report. My first criticism on that Committee is this. . . ."

(Mr. Abdul Hye Sahib passed between Mr. Satyamurti and the hon. the President)

* The hon. the PRESIDENT:—"I hope Mr. Abdul Hye will not commit again the mistake of crossing between the Chair and the hon. Member who is speaking."

* Mr. S. SATYAMURTI:—"With regard to the recommendations of this Committee, and its nature and composition, I should have expected the hon. the Minister in a matter of this controversial kind--controversial from one point of view and non-controversial from another point of view--to have

^a Printed as Appendix XIV on pages 163-184 infra.

^b Adjourned from the meeting of the Council held in the 18th December 1925.

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appointed a Committee representative of all sections of the House. Now what do we find? Excepting my hon. Friend from Coimbatore who is sitting below me, all the members of the Committee belong to the party to which the hon. the Minister belongs and, therefore, the recommendations are vitiated and are brought about by a desire not to make recommendations so as to disturb the desires or the views of the hon. the Minister or even the glorious policy of do-nothing, but merely to say as to how things cannot be done.

"So far as my hon. Friend Mr. C. V. Venkataramana Ayyangar is concerned, he has stated what I think should be the feeling of every impartial reader about the recommendations of that Committee. He has stated that 'the conclusions arrived at by the committee are most unsatisfactory, and I have no doubt that when the report is published the suggestions made in it will be found by the public to be absolutely useless for advancing the cause of temperance in this Presidency.' Sir, we have our Upanishads and other sacred literature which strictly forbid our people from drinking

"Then, coming to the recommendations of the report, I may say it is a most amazing document. I will just run through the recommendations and the preliminary paragraphs of the report very rapidly, with your leave and with the leave of the House. Before I come to the recommendations of this Committee, I may say that the genius, the collective wisdom of this Committee are found in the following sentence: 'The hon. the Minister had stated clearly that... it would be the policy of the Madras Government to work up to that ideal,' viz., total prohibition. Then the report says, 'the work of this Committee is therefore confined to a careful examination of the various methods which have been suggested for reducing the total consumption of liquor.' Then, Sir, the report goes on to summarize the evidence and they reject the policy of total prohibition. They come next to paragraph 13, page 5, of the report and state thus: "Whatever may be our views about prohibition as the goal of excise administration for the Presidency, we do not think that an attempt to introduce it immediately would be attended with success.' Therefore they rule out prohibition as an immediate possibility. That is a promise from which they start. Then, Sir, they come to local option. They say, 'local option will not effect any reduction in consumption.' Then, Sir, coming to the question of the shortening of hours they say 'Shortening the hours of sale produces difficulties of another kind. We are afraid that further restrictions in this direction may only lead to illicit instead of licit consumption.' Then they go on to the system of rationing as it is practised in Bombay. They say, 'the inference from these extracts is that "rationing" operates by way of enhancing the price. But this enhancement is regulated not by an orderly or considered policy but by the pecuniary appetite of the vendors measured against the pocket of the purchaser.' They further say 'there is a possibility of considerably reducing the sale of liquor by increase in the price'—a most unsatisfactory solution of this very difficult problem.

"Sir, it was the late Mr. Gokhale who is very often claimed by my hon. Friend, the Minister for Education, as his political Guru, who said in the Supreme Legislative Council as it then was 'that the increase in the price of liquor will not reduce consumption, but will impoverish the country.' That conclusion is supported by one who till very recently was one of us, I

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mean Dr. John Mathai. He says 'that the increase in price must prove ineffective. The reason is that increase in price may impoverish the country without exercising a corresponding check on the consumer'.

"Then, Sir, they refer to the surcharge system. They say: 'The surcharge system referred to in the questionnaire is not a method of reducing the consumption . . . But one feature of the system alone renders it inefficient, viz., that it depends entirely on the rigid enforcement of the fixed selling price, a factor which is practically an impossibility'. Then they say 'that the financial situation forms an additional reason for a very cautious advance.'

"Another conclusion which this Committee has come to, is this:— 'Toddy is regarded by a large number of people as almost a necessity of life'. Therefore they conclude, 'we have given the proposal for immediate legislation our most careful consideration'. With regard to local option, they say that such a legislation will not meet the purpose for which that legislation is intended. They add, 'we agree with them and believe that at the present stage of education in this Presidency local option on the basis of an adult suffrage would be an experiment of very doubtful value'. Having therefore dismissed practically all the schemes which the prohibitionists and temperance reformers have put forward and are putting forward, they summarise their conclusions on page 13, and recommend licensing boards with non-official majorities with extended powers in major municipalities, a licensing board with extended powers in the town of Madras, and an advisory committee of some non-officials in the case of rural areas including municipalities.

"With regard to the first class of licensing boards, you will notice its nature and composition. It consists of three officials, two elected members and one member of the Legislative Council, one temperance representative of the depressed classes and one person elected by the Excise Licensing Board. Therefore it will be found that the nominated members preponderate over elected members. Then they come to the functions of these boards. They say that the functions of the board will be to determine the number and location of arrack, opium and ganja shops, F I, tavern and beer shops. Even that power is limited. Again they say, 'it is proposed that the board should have the power to reduce for reasons to be recorded the number of shops by not more than one-fourth of each kind of shop, and the numbers shall not be reducible by any succeeding board to a lower figure than one-third of the number existing when such board was first constituted'. The Committee have got their own feeling in this matter and I am glad that they exhibit their own qualms of conscience and say further in their proviso, 'the Government shall have the power to direct that the resolution of the Committee should be rescinded or modified as may be deemed necessary'. Then they say, 'we admit the fairness of the criticism but we should meet it by pointing out that our proposals are at present of a provisional and temporary nature, and so on.'

"It seems to me a waste of time and energy that the so-called expert Committee should sit for months together and produce this report and say, 'we put forward this solution and begin by saying that it is a mere experiment'. We do not want the Committee to make experiments. We are

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working an experiment and that is the way in which the Montagu Chelemsford report started dyarchy. I do hope that we shall not start any more experiments with regard to temperance reform.

"Then, Sir, we come to the Licensing Board in Madras. Hon. Members will notice on page 46 of this report that the majority of this board will be nominated or official members. Even in Madras the board should have to record their reasons for reducing the number of shops. This is something like a case where the subordinate judiciary is asked to record its reasons in giving decision on a certain matter.

"They must record the reasons. After recording the reasons, they can reduce the shops by not more than one-fourth of the existing number and every succeeding board cannot reduce the number of shops by more than one-third of the number existing when such a board was constituted. Curiously enough we find in this report the usual Anglo-Indian (old style) mentality. When they have to impose some restrictions upon us it is always for our good. We are all children and if Government supervise us, it is not because they distrust us but because they are anxious that we should not commit mistakes. The report says, 'Should the Commissioner of Excise report to the Government that within the area affected by the reduction, illicit distillation and sale of alcohol has been carried on or connived at during the period concerned and the Government are satisfied that this is the case, the Government shall have the power to direct that the resolution of the Committee should be rescinded or modified as may be deemed necessary.' A fine compliment to the premier City of Madras! Here licensing cannot really function except under the leading-strings of the Excise Commissioner. 12-30 p.m

"With regard to the Advisory Committees for rural areas, it will be seen that they are predominantly official in composition and their powers are confined to mere recommendations which, in the words of the hon. Minister, will be treated as proposals worthy of serious consideration. Again in paragraph 35 they say, 'It will be objected that such a scheme will not necessarily reduce consumption. We agree; but we do not think that automatic reduction is possible.'

"I have now read the salient sentences in the report. It says that total prohibition is not the goal, local option is not the method, rationing is not the method, surcharge system is not an improvement on the existing system, it may be tried but it shall not be tried here; therefore they recommend an experiment of doubtful value and themselves add that such a scheme will not necessarily reduce consumption. What is the scheme for, that does not reduce consumption? Is it this that we were asking for? There should be some policy. But we are now told, 'Have these Committees; try to recommend to us proposals which we shall consider and reject, if they cannot be accepted.' It seems to me that it is trifling with the problem and not dealing with it with the seriousness and the earnestness of a responsible Minister.

"I want to ask a few questions of my hon. Friend, the Minister. But before I do so, I should like just to read one or two sentences of the dissenting minute of my hon. Friend from Chingleput below the gangway, and

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of my hon. Friend from Guntur : ' It is undeniable that the present consumption of intoxicants in this country is not only excessive but seriously subversive of the economic and moral progress of the nation.'

" I can only envy the language in which it is couched ; I cannot improve upon the beautiful way in which he has placed the dangerous effects of drink before this House. But what does he do ? He practically accepts the suggestions in the report. It is suggested that cheap tea shops may be established in places near toddy shops. That experiment was tried and proved to be a miserable failure. I shall just refer to one or two sentences of the minute of the hon. Member from Ootacamund : ' I am afraid the draft report's recommendation for the establishment of Advisory Committees with such a small non-official element and power so little will not meet with the approval of the people . . . I have said these words from my conviction that there is a growing desire for some real restriction, because drink has ruined people, particularly the working classes, in every sense of the term.' If this is the result of the labours of the Committee, I desire to ask my hon. Friend, the Minister, what exactly his policy is. I invite his attention to the statement of policy of the Government of India given at page 34 in the appendix : ' The Government of India have no desire to interfere with the habits of those who use alcohol in moderation ; this is regarded by them as outside the duty of the Government and it is necessary in their opinion to make due provision for the needs of such persons. Their settled policy, however, is to minimise temptation to those who do not drink, and to discourage excess among those who do, and to the furtherance of this policy all considerations of revenue must be absolutely subordinated.' Does the hon. Minister accept that as his policy, or does he go further and, if so, to what extent ? Does he consider it his duty to provide liquor for those who want it and not to interfere with the habits of those people who use alcohol in moderation, but only minimise temptation and discourage excess ? With regard to the policy of this Government itself, it is stated in the report that neither prohibition nor local option is possible. Therefore it is a case of doing nothing. I, therefore, suggest to the House, Mr. President, that the recommendations of the Committee are wholly inadequate to meet the needs of the situation. We recommend that the Government should declare their policy to be total prohibition of the manufacture, consumption or sale of alcoholic liquor. On that matter, Mr. President, it is a case of either preaching to the converted or preaching to the unconvertible. There are people in this House, as there are people outside, who believe that drink is an unmitigated evil and ought to be put down whatever the cost may be. No State can really afford, if it is really anxious for the physical and moral welfare of its subjects, to derive revenue from the drink of its subjects. There are others who hold that drink is not an unmitigated evil if it is taken in moderation and, therefore, the State need do nothing to restrict it, except when there is a tendency to abuse the facilities offered for drink. I am one of those who believe that drink is an unmitigated evil. I believe that I am right and that I am voicing the feelings of the workers and the labourers of this country, of all the great religions of this country, Hinduism, Islam and Christianity. We are convinced by our experience that this monster of drink has brought about many horrors and evils in many families and that therefore it ought to be put down. We recommend prohibition. We also believe that the drink

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revenue can be and ought to be replaced; and as my hon Friend from Ootacamund has put it in his minute, there is an important maxim which Governments as well as individuals must adopt, viz., we must cut our coats according to the cloth. I recognize, Mr. President, that out of a total revenue of sixteen crores in this Presidency, as much as six crores comes out of this drink. I know that the hon. the Finance Member will be hard put to it to balance his budget if this revenue is eliminated at one stroke. But, Sir, this resolution does not suggest,—I do not suggest,—that this six crores of revenue ought to be eliminated forthwith, here and now. The resolution suggests, and I do suggest, that immediate steps should be taken specifically to bring about total prohibition. We are willing that it may be spread over a number of years. I have no doubt that if earnest and honest attempts are made by the Government, both Reserved and Transferred, working harmoniously in this matter, the resources of the Madras Government are not so limited as not to be possible to make provision for the gradual reduction of this revenue until it is annihilated in a stated number of years. I want my hon Friends on the Treasury Bench to look at what these six crores of rupees really represent. It is only the tax which the Government get, but three times that money must have been actually spent by the people. Therefore, this eighteen crores of hard-earned money which would go to fructify this land, and help our industries, and make this Presidency of ours flow with milk and honey, are eaten by the drink vendors and toddy contractors and by the arrack and wine dealers. A part of it is taken by the Government as co-partners. My hon. Friend, Sir Patro, was once a Congressman; he was a man of the people; he may yet be one again. I ask him to visualise the poor homes, where the women and children go without bread day after day, while their fathers and husbands drink themselves mad and become drunken beasts. They are unworthy of being called even decent beasts on account of their drunkenness. It only requires a human heart capable of feeling and a tongue more eloquent than mine to bring home to the mind of the hon. Minister the horror which this drink causes. I do hope, therefore, that the hon. Minister will stand up to the Finance Member, stand up to the Government, and say, 'No, I am an Indian and I will not be a party to your pauperising my countrymen.' I hope the hon. Minister will adopt some humanizing scheme and see that thousands and millions of homes are not ruined by this evil of drink. We are all agreed on the injurious effects of drink. I may quote here the very high authority of one who was still lately in the Indian Civil Service, Mr. E. W. Legh, Revenue Secretary, who, speaking on the 18th March 1924 on the floor of this House, said that 'he who thinks that a man is better for the drink does not know what is good for man.' It was not the statement of an irresponsible politician; it was the statement of a responsible servant of this Government, a member of the Indian Civil Service, and an Englishman. Therefore it cannot be whittled down as being the result of prejudice, either racial or political.

"The hon. Minister said that he would take the sense of the House before he took action on these recommendations. I am obliged to him and to you, Mr. President, for having given the House this opportunity of stating our views in regard to this matter. Our position is, that drink being bad and prohibition being good, it ought to be introduced at once. Now, Sir, one usual argument against prohibition is, that it has been a failure in

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America and that if we introduced prohibition in this country we would be perpetuating the evil only in another form. Now, Sir, let me quote here what Mr. Guy Hayler, the President of the World Prohibition Federation, said summing up the situation on the fifth anniversary of America's Prohibition policy, on 16th January 1925 :

'Five years ago—January 16th, 1920—the United States passed prohibition in its National Constitution.

'By this Act, 177,000 saloons, 1,000 breweries, and 236 distilleries were closed down; and the making, selling, importing, exporting, and transporting of intoxicating liquors as a beverage was made illegal throughout that great country.

'Despite evasions of the law—and what law is not violated somewhere at some time—prohibition has fully vindicated the declarations of its promoters. The general death-rate has been considerably lowered and tens of thousands of little children have been saved from premature death. The home life of the common people has been enhanced in many ways; the worker and his family are better fed, better clothed, better cared for, and better educated. There is a marked improvement in all these directions as compared with the old "wet" days.

'From the point of view of the employer, it is asserted that there is greater efficiency in factory, mine, and workshop, coupled with a conspicuous improvement in regularity. This has meant an increased output and a bigger wage for the worker and we see the result is an enormous growth in the number of folks who now own houses, motor-cars, telephone equipment, etc. In fact, there is a decided change for the better in the whole ramification of the social life of the nation. Charity organizations report less charges upon their funds and hospitality. Trade booms, and unemployment is practically unknown.

'Labour "temples" are being built all over the States, and they take the place of the saloon which once was the shelter for Union meetings. The larger Trade Unions are opening their own banks where money, once passed over the saloon counter, is now deposited. The 'rainy day' preparation is now a practical proposition. The five years' Prohibition enforcement in the United States of America—in spite of all bootlegging and smuggling in which not a few nations have indulged—continues to prove of inestimable value to the whole of the community.'

"I commend that, Sir, to the attention of the hon. the Minister for Education

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p.m.

"Then we come to the revenue aspect of the question. I know that the hon. the Finance Member and probably the hon. the Minister will challenge us 'what substitute will you give us?' It seems to me, Sir, it is a question asked more in a challenging mood, than in an enquiring mood. If it is asked in a challenging mood, then I say a substitute can be found and shall be found. If it is in an enquiring mood, I suggest to my hon. Friends that a committee like this can evolve a scheme of retrenchment on the one hand and substituted taxation on the other. I know my friend below the gangway tries to be more enthusiastic; I shall wait and see when the voting comes. I am making a business proposition. I say, if you are going to save the expenditure of 18 crores of money by the people, I am willing to agree to three or four crores of taxation in order to make both ends meet, if it be found absolutely necessary. What have the Members below the gangway done for the last four years to bring about prohibition? Therefore, I suggest, that if this proposition is made to us as a business proposition, let us sit down together, explore all possible avenues of retrenchment on the one hand and possible avenues of taxation on the other; and I venture to suggest to my hon. Friends that we ought to be able and we shall be able to evolve a scheme of retrenchment and of additional taxation, if necessary, and we should be able to bring about total prohibition within a reasonably limited time."

* The hon. the PRESIDENT:—"The hon. Member has already taken more than half an hour."

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* Mr. S. SATYAMURTI :—" I am coming to a close. There is only one point, Sir, on which I want to say two or three words. Turning to the order paper, I find the resolutions tabled by the hon. members of the Ministerialist side which have gladdened my heart. I am glad that the elections are coming on. I see that the Ministerialists like my hon. friend from Chittoor, have also declared that the declared policy of the Government should be prohibition. Total prohibition is the ultimate goal to be attained within a period of thirty years.

" Now, when I come to this period, I am always reminded of the fact that these periods of years never begin. I have been told, since I became politically conscious, that swaraj will come to us in 50 years. It still remains 50 years. It has not become 35. Therefore, 30 years will always remain 30 years, so long as the Ministerialists are in power. Otherwise it should have become 25 years. They have been there for five years. Why do they say 30 years from now ?

" Another set of resolutions tabled by hon. Members below the gangway say that local option should be the immediate policy of the Government. I have not heard of local option being a policy of the Government. I think that is a method to bring about total prohibition."

* Rao Bahadur C. NATESA MUDALIYAR :—" It is not on account of the elections that I gave notice of that resolution."

* The hon. the PRESIDENT :—" Did any one suggest that ? "

* Rao Bahadur C. NATESA MUDALIYAR :—" I have been a temperance member long before the hon. Member for the University ever dreamt of temperance."

* Mr. S. SATYAMURTI :—" I also remember that he was on our side for some years. He would then have imbibed some of our principles."

* Rao Bahadur C. NATESA MUDALIYAR :—" No, Sir. Even there, I maintained my individuality."

* Mr. S. SATYAMURTI :—" My point is that local option cannot be a policy and they want another committee. There is my hon. Friend below the gangway, the Member for the depressed classes, who says that the Excise Licensing Board should direct that no shops should be located in or near cheris. He wants that his men should not have the temptation. But he does not say ' remove those dirty things altogether.' Is it a case of tit for tat ? "

* Mr. R. VEERIAN :—" A word of personal explanation, Sir. If my hon. Friend had waited very patiently until I have finished my speech he would have understood the matter very well."

* Mr. S. SATYAMURTI :—" I need not wait for his speech. His resolution is printed here that Excise Licensing Board should be directed that no shops for selling toddy, arrack or beer shall be located in or near the cheris or other localities inhabited by the members of the depressed classes. He does not say that they ought to be removed. What does it mean ? He wants that they ought to be located in other places. It is unfair on his part to suggest that what is not good for him and his community may be thrown at the heads of other people.

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"The non-Brahman Federation which sat in Madras during the last Legislative Council meetings at which the hon. the Minister and his colleagues were present, passed a resolution that total prohibition should be brought about within, I believe, ten years. I want my hon. Friend to answer this question among other questions he may answer in the course of his reply. What is the policy of this Government? I can understand the Government saying that they cannot make any heroic efforts for reducing drink. That is a policy which is honest, although I do not agree with it. The policy laid down by the Non-Brahman Federation is that total prohibition should be brought about within a period of ten years. The elections are coming just now. We can bring about total prohibition in ten, twenty or thirty years. But it is not treating the House or the country seriously. I do suggest that this is not a matter on which we are, just now, voting for a censure on the hon. the Minister. If any of these resolutions are passed it will not involve the resignation of the Minister. It is a question not merely of the period. It is a question of life and death literally for the nation.

"I appeal to my Mussalman friends. Their religion does not permit them to drink. It also prohibits them from helping those who want to drink. If they are really Mussalmans, they must vote for the resolution. Ignorance and drink are the two enemies of the depressed classes and let the Members representing them vote for it. As for the Ministerialists, we are not now challenging them. Therefore, there is no question of crossing the floor. I am asking a straight vote on a human question on the voting of which, the electorate shall know why the Ministerialists are opposing such a modest and humane resolution intended only for the social well-being of our people."

* MR. C. V. VENKATARAMANA AYYANGAR :—"Mr. President, Sir, much has been said on this question and I appeal to the House to treat this question, as my hon. Friend suggested, as a non-party question. I will go further and appeal to them . . ."

* THE HON. THE PRESIDENT :—"Is the hon. Member moving his amendment?"

* MR. C. V. VENKATARAMANA AYYANGAR :—"Yes, Sir. I support the main proposition also. I am appealing to the House, from a sense of humanity as it were, to consider the state of affairs among the lower classes with whose lot we sympathize. We will take facts as they are. The population of this Presidency is 40 millions which means 4 crores, including all from the highest to the lowest, from the rich Europeans and others to the poorest depressed classes. These four crores of people are paying six crores of rupees by way of excise to the Government. We will leave aside the large expenditure they should be incurring by way of filling the pockets of various people, such as, topeowners, money-lenders, etc. Men, women and children, rich, poor and pauper, have to pay Rs. 1-8-0 per year. If we take into consideration the general tendency of the people who take to drink, you may take it that they are very poor people; they will form only a minority less than half the whole population so that we may take it that every poor man pays Rs. 3 a year towards his drink. Various figures have been given as regards the average income of the people. I think it was Mr. Gokhale who put it at Rs. 1-12-0 and the officials themselves have put it at Rs. 2 or Rs. 2-4-0 so that the average annual income of every man rich or poor

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is only about Rs. 25. We can very well understand from this fact as to what the income of the depressed classes will be. I do not think it will be more than half, i.e., Rs. 10 or 12 a year. Even if we take into consideration only the excise income of the Government and leave aside the income of others from this source, out of Rs. 10 or 12 that a poor man gets, he spends about Rs. 6 or 8 towards drink. Many poor families will be starving. We should not mind the question of finance, our Government being rich. Taking the poverty and the sufferings of the people, there is no doubt that, with feelings of humanity, we should reduce the evils of drinking. If that is done, everybody will realize that total prohibition should be the ultimate goal. But I am not at all satisfied with the wording. If I were the Minister for Education—there is no chance for me in this life—I would at once jump and accept the proposition that total prohibition shall be the goal and that immediate steps be taken. It may be one century hence when the goal is attained I may reduce the number of shops here and there. I may appoint an advisory committee which will reduce the number of shops and the quantity of consumption. That may bring total prohibition a century hence. Therefore, Sir, I am saying that in spite of the spirit of the resolution and the fluency of the speech made, the wording of the resolution should be carefully looked into. The hon. the Minister may say ‘I am bound by the resolution both in word and in spirit.’ But his successor may say that the wording only of the resolution is binding on him. He will carry out the reduction of a shop, a tree or the quantity of consumption by one gallon and say that he is strictly giving effect to the resolution. I have dealt with the subject a little more in detail than it is probably necessary for me to do here in my minute of dissent. All I wish to say now is that we should have a declaration from the Government to-day that total prohibition will be their ultimate goal, and that the goal is to be reached within a fixed period. The hon. the Minister may say that he has reduced the number of shops by fifteen and that total prohibition will be reached in 30 years. We want reduction both in consumption, in the number of shops and in the amount the Government get. We want that some specific steps should be taken by the Government to give effect to the goal of total prohibition. Taking that point of view, I have fixed ten years to be a reasonable period. It may be raised to 11 or it may be reduced to 9.

“I know that ten years may be said to be a very short period taking the 1 p.m.
finance of the province into consideration. In regard to that statement, I echo what has been said by the hon. Member for the University that the progressive communities in the country will certainly be prepared to take up a portion of the burden because they all realise that the drink question among their labourers has been in a way taxing them indirectly though not directly. The question of finances therefore need not very much come in. If we look to the additional taxation that the country has been obliged to bear after the blessed reforms, we will see that it has proceeded rapidly and I believe that I will not be far wrong if I say that on establishments in this province at least two crores of rupees have been added to the establishment charges, and if merely for the expenses under establishments such a large sum may have been added and some means found out to find that sum, it will not be difficult to get some other means for obtaining about an additional half a crore of rupees every year, say either by additional taxation or by additional retrenchment or luckily by a total reduction of the provincial

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contribution. Realising all this, I appeal to the House from a humane point of view to agree in whatever form the proposition is passed to the fixing of this period lest total prohibition should not be a pious wish to be achieved at some distant date. It may be that our grandsons will reap the benefit of it but let us do something from now by which we can have the benefit or the usefulness of it. It is with this idea that I propose—

That at the end, the following words be added: 'within a period of ten years'.

Mr. J. A. SALDANHA :—" I beg to second this amendment."

* The hon. the PRESIDENT :—" I think that will be enough for bringing the amendment within the jurisdiction of the House. I shall allow the hon. Member to speak on the merits later on. I shall now put the amendment to the vote."

The hon. Rao Bahadur Sir A. P. Patro rose to speak.

* The hon. the PRESIDENT :—" My object in putting the amendment is to settle the question whether it shall form part of the resolution or not. If the hon. Minister wants to make a statement at this stage, I am willing to allow him to do so."

* The hon. Rao Bahadur Sir A. P. PATRO :—" I thought you were allowing discussion on both the amendment and the resolution, and put both to the House at the end."

* The hon. the PRESIDENT :—" My point in calling upon Mr. Venkataramana Ayyangar to move his amendment is to let the House decide once for all whether the amendment shall form part of the resolution and dispose of it. If the hon. Minister wants to speak on the amendment, I will ask him to do so."

* The hon. Rao Bahadur Sir A. P. PATRO :—" No, Sir, I should like to speak on the main resolution and the amendment together."

* The hon. Mr. T. E. MOIR :—" Is it your view, Sir, that the amendments should be taken up one by one and that all that the House should have an opportunity of hearing on any particular amendment is the remarks of the mover of the amendment and a formal seconding of it? I merely ask for information, Sir."

* The hon. the PRESIDENT :—" Yes, yes. The amendment is in the possession of the House at present."

* The hon. Mr. T. E. MOIR :—" Sir, may I ask, in the absence of the Leader of the House, what the result of that is? Does it mean that on any amendment the debate will be confined to the remarks of the Mover of the amendment and to the formal seconding of it by any member irrespective of whether it may be a point which the House may desire to debate before coming to a conclusion?"

* The hon. the PRESIDENT :—" It is my intention to confine the discussion at the present stage to the amendment of Mr. Venkataramana Ayyangar and when that is disposed of, the discussion will proceed on the original resolution whether amended or unamended."

* Diwan Bahadur M. KRISHNAN NAYAR :—" May I make a remark, Sir? Perhaps what the hon. President means is this, that he will hear either the

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hon. Sir A. P. Patro or any other member of the House on this amendment, the amendment will then be put and the vote will be whether it should form part of the resolution or not. If it is to form part of the resolution, it becomes a consolidated resolution and then this resolution and the other resolutions with their amendments, if those amendments are to form part of them, will all be discussed together and ultimately separate votes will be taken upon the resolutions. Is that the way in which we are to proceed, Sir ?”

* The hon. the PRESIDENT :—“ Yes. The hon. Member has correctly interpreted my intention.”

* The hon. Rao Bahadur Sir A. P. PATRO :—“ If it is only on what the hon. Member moved as an amendment, namely, that the period shall be ten years, that I am to reply to, I will submit, Sir, that the position now taken up by the hon. Member of the amendment is not consistent with his previous statements made in the report itself. In his dissenting minute and in the report itself, he has stated that the period shall be twenty or thirty years. He has also given expression to this at one of the sittings of the Committee. Apart from that, I wish also to refer the House to page 49 of the report where the consultative committee came to the conclusion in the following words : ‘ The goal of all excise policy will be total prohibition and they will work up to it as early as possible ’ and ‘ as early as possible ’ should be taken to include finances forthcoming for extra staff and to replace the revenue lost. That was on the 12th of May 1925.”

Mr. C. RAMALINGA REDDI :—“ May I ask my hon. Friend whether he opposed a resolution on the matter at the Non-Brahman Confederation ? ”

* The hon. Rao Bahadur Sir A. P. PATRO :—“ I cannot answer a question which is not germane to what I am at, namely, the suggestion to fix a period of ten years. Such a suggestion, I have shown is not consistent with what the hon. Member has said previously in regard to this very matter. With regard to the fixing of the period, the hon. Member for the University has rightly emphasised that it is no good fixing any period because it is impossible to say when it will be.”

* Mr. S. SATYAMURTI :—“ On a point of personal explanation, Sir. The reason why I did not and do not specify a particular period is that I am not the Government. But I do want the Government to accept total prohibition as its policy and to take immediate steps specifically to bring it about. I may add that if I were a Minister, I would do it in five years’ time.”

* The hon. Rao Bahadur Sir A. P. PATRO :—“ I have quoted the hon. Member very rightly, for I have noted the very words that the hon. Member used, that he will not specify the number of years, he will not state that it should be achieved in a stated number of years. These are the words of the hon. Member for the University and I say that he has very rightly stated that there is no use in specifying any period.”

* Mr. S. SATYAMURTI :—“ I have not said that there is no use. There is no use reading some words of mine and adding some more giving a wrong direction to the whole sentence.”

* The hon. Rao Bahadur Sir A. P. PATRO :—“ The sentence is there and I hope the official report will support it, that he did not want any period to be specified, any stated number of years to be fixed.

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"Then, Sir, the same thing has been stated in the Bombay Excise Committee's report. That report was made by a committee which consisted of sound businessmen and persons who have given much time for the subject. They say that any proposal with regard to a fixed period is altogether undesirable. I refer to the Committee's report at paragraph 112. They say the policy that what the Government should aim at is prohibition by suitable steps: 'The Committee do not approve of the idea of laying down, as suggested by most witnesses a definite time or period and they recommend that the goal should be reached by suitable steps.' The Committee has considered that fixing a period is impracticable and impossible. Therefore, Sir, the present amendment is inconsistent with the position taken up by the Mover and has been considered impracticable by the Bombay Committee."

MR C RAMALINGA REDDI:—"I am rather surprised at the speech just now made by my hon. Friend, the Minister for Excise. I take it that the natural inference that one would draw from his speech is that he is not opposed to prohibition in the abstract but that he would not like to commit himself to any definite period within which prohibition will have to be realized or to any particular steps by which he hopes to realize it. If my hon. Friend were an irresponsible private member I should not have reason to criticize the speech he has just now delivered. But he is a responsible Minister and a member of one of the biggest parties which we have got in South India. He attends a confederation of that party where a resolution is adopted in favour of prohibition within ten years. We have been told that hon. Ministers have been travelling in order to get into touch with public opinion and also to educate public opinion. There was a confederation of the members of the Justice party gathered from all parts of the Presidency. And yet when this resolution was tabled, discussed at the Subjects Committee, and passed, my hon. Friend did nothing to unfold the real case to them, to educate the opinion of his own party which ought to precede any attempts at educating general public opinion and to secure for them the support which he now asks this Council to give in favour of his views, which, I must confess, are not sufficiently definite for me to be able to tell what exactly they are. I understand that he is in favour of prohibition but would not like to commit himself to a time-limit or to specify the steps by which it is to be secured. If I have interpreted him aright, then I request him to stand up and to say at once that he accepts the resolution moved by my hon. Friend, the Member for the University, in which so far as I can see there is no time-limit specified nor is there anything said about the steps by which prohibition is to be secured. We would be saving the time of the House and a good deal of unnecessary debate if my hon. Friend would say: 'I am in favour of this resolution,' because while it posits prohibition it leaves other relevant questions very much indefinite."

* The hon. Mr. T. E. MORR:—"On a point of order, Sir, I want to know if the hon. Member is in order in bringing up the question of the main resolution when, as I understand, the discussion at the present moment is confined to the amendment."

* The hon. the PRESIDENT:—"I was more than once on the point of asking the hon. Member to confine his remarks to the subject-matter of the amendment, because he will be in order in speaking on the resolution later on."

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Mr. C. RAMALINGA REDDI :—“ I was trying to make a distinction between voting on a resolution and a Minister giving his opinion as to whether a particular resolution would be acceptable to him or not. I was not going to anticipate your decision as to when and how the voting was to be taken, but I think there is nothing irrelevant or inappropriate in the hon. the Minister saying that he agrees with the resolution as moved by my hon. Friend Mr Satyamurti while he strenuously opposes the amendment which is in the very terms of the resolution passed by the Confederation of the very party to which he belongs and by the support of which he holds his place ”

* **The hon. Rao Bahadur Sir A. P. PATRO** :—“ I will discuss the resolution when it is before the House.”

Mr. C. RAMALINGA REDDI :—“ I am still more puzzled by this interruption. I had proceeded on the assumption that my hon. Friend was in favour of the principle of prohibition, at least prohibition in the abstract, but he now says he reserves his opinion on that question and would let us know later on. If so, he has a double duty to oppose the resolution that was passed by the Confederation, and I do not think it is in the highest interests of public life that hon. Ministers either passively or actively take up a certain attitude on public platforms and then come here and pursue a course which is very often the reverse of it.” (Hear, hear.)

* **Mr. C. V. VENKATARAMANA AYYANGAR** :—“ I wish to say a few words just by way of personal explanation, as to why there was a process of reduction in the period of time. First of all, I may say that I never stated that any particular period of time or a particular number of years should be fixed. I said in the discussions of the Committee as well as in the report that we should fix some period, let it be 10 or even 20 years. But when I moved my amendment, I put down 10 years as a tentative or provisional figure. It may be 11 or 12 years. But my figure was taken from the resolutions of the party in power that has come down from 35 to 10 years. I take it from the resolution passed by the South Indian Federation and the Non-Brahman Conference at Amraoti. I thought that probably I might have made a mistake by giving a higher figure than ten years, and I thought I must fix the period at ten years as agreed upon in a number of resolutions passed by the party of which my hon. Friend the Minister is a valuable limb; and I certainly thought—having had myself no idea of fixing any particular period before—that the period fixed in the resolution passed by the Confederation would be agreeable to its important members. As I said, it does not matter whether it is 9 or 10 or 11 or 12 years. But I do want that a period should be fixed. If my hon. Friend suggests that he would have 15 years or 20 years, I would withdraw my resolution. I simply wanted to bring forward this amendment to draw to the notice of the Council that there is absolutely no use in expressing pious wishes that our goal should be total prohibition except by insisting upon a certain period being fixed, whatever it may be. That may be decided by the Council. Taking the Confederation resolution, they went through the process and came to the conclusion that ten years would be the best. They have gone through the process and fixed the period and I also followed them in their line of thinking. I am however surprised that the hon. the Minister for Education should go on saying as if

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I was speaking of two different sets of opinions, without ever suspecting that I was only following the valuable lead of the party of the hon. the Minister for Education."

The amendment was put to the House and declared lost. Some hon. Members demanded a poll which was accordingly taken and the House divided as follows:—

Ayes.

- | | |
|-------------------------------------------|--------------------------------------------|
| 1. Rao Bahadur C. V. S. Narasimha Raju. | 14. Mr. S. Satyamurti. |
| 2. Mr. C. Ramalinga Reddi. | 15. " T. Adinarayana Chettiyar. |
| 3. Rao Bahadur T. A. Ramalinga Chettiyar. | 16. " C. Marudavanam Pillai. |
| 4. Mr. A. Ranganatha Mudaliyar. | 17. " V. Pantulu Ayyar. |
| 5. " A. Chidambara Nadar. | 18. " G. Rameswara Rao. |
| 6. " M. Ganga Raju. | 19. " R. Veerian. |
| 7. " K. Koti Reddi. | 20. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 8. " S. Muttayya Mudaliyar | 21. Srimin Sasibhushan Rith Mahasayo. |
| 9. " P. Peddi Raju. | 22. Mr. Sami Venkatachalam Chettiyar. |
| 10. " P. S. Rajappa. | 23. " R. Srinivasa Ayyangar. |
| 11. " M. R. Seturathnam Ayyar. | 24. " K. Uppi Sahib. |
| 12. " V. C. Vellingiri Gounder. | 25. " C. V. Venkataramana Ayyangar. |
| 13. " P. C. Venkatapati Razu. | 26. " Naganna Hegde. |

Noes.

- | | |
|-------------------------------------------------|-------------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 23. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 2. " Mr. N. E. Marjoribanks. | 24. Rao Bahadur Cruz Fernandez. |
| 3. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 25. Rao Sahib P. V. Gopalan. |
| 4. " Mr. T. E. Moir. | 26. Zamindar of Kallikota. |
| 5. " Diwan Bahadur Sir T. N. Sivagnanam Pillai. | 27. Mr. R. Madanagopal Nayudu. |
| 6. " Rao Bahadur Sir A. P. Patro. + | 28. Hony. Lieut. Madurai. |
| 7. " the Raja of Panagal. | 29. Diwan Bahadur A. M. Murugappa Chettiyar. |
| 8. Mr. G. T. Boag. | 30. Mr. C. Muttayya Mudaliyar. |
| 9. " V. Pandrang Row. | 31. " P. C. Muttu Chettiyar. |
| 10. " Abdulla Ghatala Sahib. | 32. " B. Obalesappa. |
| 11. " S. Arpudawami Udayar. | 33. " K. Raghuchandra Ballal. |
| 12. Rao Sahib T. C. Tangavelu Pillai. | 34. " B. Ramachandra Reddi. |
| 13. Mr. K. Prabhakaran Tampam. | 35. Rao Sahib K. V. Ramachari. |
| 14. " T. M. Ross. | 36. Diwan Bahadur M. Krishnan Nayar. |
| 15. " C. E. Wood. | 37. Mr. P. T. Rajan. |
| 16. Capt. E. G. Windle. | 38. Rao Bahadur P. Raman. |
| 17. Sir K. Venkatarreddi Nayudu. | 39. Mr. J. D. Samuel. |
| 18. Rao Bahadur C. Natesa Mudaliyar | 40. Rao Sahib R. Srinivasan. |
| 19. Mr. P. K. S. A. Arumuga Nadar. | 41. Mr. K. Sitaramareddi. |
| 20. " A. V. Bhanaji Rao. | 42. " P. V. S. Sundaramurti. |
| 21. Rao Sahib S. Ellappa Chettiyar | 43. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 22. Mr. A. Ramaswami Mudaliyar. | |

Neutral.

- | | |
|----------------------------------------|-----------------------------------------|
| 1. Rao Bahadur M. C. Raja. | 6. Mr. Quadir Muhi-ud-din Sahib. |
| 2. Mr. L. C. Guruswami. | 7. Khan Bahadur P. Khalif-ul-Jah Sahib. |
| 3. " Chavadi K. Subrahmanya Pillai. | 8. Mr. T. M. Moidu Sahib. |
| 4. " Haji Abdulla Sahib. | 9. " M. Abdul Wahab Sahib. |
| 5. " V. Hamid Sultan Marakkayar Sahib, | |

26 hon. Members voted for the amendment, 43 against, and 9 remained neutral. The amendment was lost.

The House then adjourned for lunch,

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After Lunch (2-30 p.m.)

III.—ADJOURNMENT MOTION REGARDING COLOUR BAR BILL IN SOUTH AFRICA.

* The hon. the PRESIDENT :—" I have to announce to the House that the motion for adjournment moved by Mr. S. Satyamurti this morning has been disallowed by His Excellency the Governor under Rule 22 (2)."

VII

ALLOTMENT OF DAYS FOR NON-OFFICIAL AND OFFICIAL BUSINESS.

* The hon. the PRESIDENT :—" I have also to announce to the House that provisionally His Excellency the Governor has allotted three days for non-official business—I mean the first three days of the meeting."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" May we know how many days of this sitting are for official work ? "

* The hon. the PRESIDENT :—" I hope the hon. Sir C. P. Ramaswami Ayyar will make a statement in regard to that."

Mr C. RAMALINGA REDDI :—" May I ask, whether in view of the assurance given to us by the Leader of the House that as many days as are required for the consideration of the Malabar Tenancy Bill will be given, whether it is now proposed to restrict . . . "

* The hon. the PRESIDENT :—" I think the hon. Member might wait till the hon. Sir C. P. Ramaswami Ayyar comes."

Mr. C. RAMALINGA REDDI :—" I shall put a question in the course of business to the hon. Member."

VI.—NON-OFFICIAL BUSINESS—cont.

RESOLUTIONS ON THE REPORT OF THE EXCISE ADVISORY COMMITTEE—cont.

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Mr. President, the resolution which I have already moved reads :

That this Council recommends to the Government—

(a) *that it shall declare that total prohibition is the goal ;*

(b) *that licensing boards be constituted with non-official elected majorities with directions—*

(1) *that the number of shops selling arrack, toddy, and foreign liquor be reduced by fifty per cent in five years ; and*

(2) *that the issue of arrack and foreign liquor to each shop be reduced by five per cent of the quantity issued last year (1924-25) so that there may be a progressive reduction of ten per cent in the second year and so on ;*

(c) *to prohibit sale altogether on market festival and pay days and to exercise more stringent supervision ;*

(d) *that auctioning of shops be abolished and fixed fees levied ; and*

(e) *that the methods to be adopted to attain the goal be reconsidered again at the end of five years.*

[Mr. T. A. Ramalinga Chettiyar] [8th February 1926]

"Sir, this is probably the most important matter that comes before this Council and if I may take the liberty of saying so, this is probably the most important subject that a local Legislative Council under the reformed scheme will have to deal with. Not only it is the most important subject as a transferred subject but also on account of the financial and other considerations involved in it it is decidedly the most important subject for a local legislature to consider. I do hope that the form in which the matter has come up before this House will make members consider the several issues without any party or other predilections and come to a conclusion which is likely to contribute towards the progress of the people of this Presidency. Well, Sir, we have been talking for a long time about the goal of the Government in this excise policy. Several attempts have been made in this House as well as in other Councils to change the policy of Government in this matter from one of maximum income and minimum consumption. That was the policy initiated by the Government of India when the Government of India could talk in these matters for the whole of India as early as 1905, if I remember correct. That policy has been followed consistently and until 1919. When the reformed scheme came, practically the same policy and the same principles were in force in all the provinces. I have been considering, Sir, the speech of the hon. the Excise Minister made the other day in reply to a motion on the budget last year in which he recounted all that has been done by the Local Government for reducing the consumption in this province. Well, Sir, with the enthusiasm with which he spoke that day I thought probably I was not doing justice to him and that I had overlooked some matters for which he could take credit. But after elaborately going through all the items, Sir, that he mentioned and after considering the pros and cons of everything he stated, I found that my charge against him that he had not moved at all, that he had been standing still during all the five years during which the administration of this department has been in his hands has been quite correct. Everything he claimed has been achieved by the pre-reform Government and credit should go to Sir Charles Todhunter and his predecessors and not to the Minister. I was at one time thinking that on account of my earnest entreaties he had given effect to trying"

* The hon. Rao Bahadur Sir A. P. PATRO :—" May I rise to a point of order? Is he speaking on the resolution or is it only a criticism of the Minister's policy?"

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I cannot really understand my hon. Friend's nervousness in this matter."

* The hon. Rao Bahadur Sir A. P. PATRO :—" Not nervousness; but I want the hon. Member to be more reasonable."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I cannot without discussing the policy adopted say where he is mistaken and how the changes ought to be made. After all, this is the only occasion that has been furnished to us to discuss as I said a matter of policy in a transferred department and even though we did not want to make it a party question on account of the importance of the subject, I have to take the opportunity to say what has been done and what remains undone. Well, Sir, as I said when my learned Friend interrupted me, I thought, Sir, on account of my entreaties to give effect to some proposals I made, the experiment, viz., the trial

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to abolish arrack shops in certain areas was adopted. I found later on that I was anticipated in that proposal by Sir Charles Todhunter and, as a matter of fact, in 1919 proposals were made to give effect to that very scheme. That was given effect to from 1919 itself, though the matter is mentioned later on. The administration report itself admits that it was given effect to as a result of the decision come to in 1919 and not after the reforms came into effect, under the orders of the hon. the Minister. So far as I am aware, Sir, the only change he has made is with reference to the sale of liquor to the Badagas in the Nilgiris. That is the only experiment that he has tried during the last five years. In giving expression to a pious wish he never hesitated to make a statement on the floor of this House. That is the only experiment that he has tried so far and about the merits and demerits of it I do not propose to go into at present. I have got memorials, Sir, to show that it is a half-hearted measure, that it does not go far enough and that it has not resulted in the reform that was expected of it. That is the memorial that I have got in my hand. After all, it is a very small matter concerning a small population in one district and I need not detain the Council much on that. Thus practically the history of the administration of this department is a blank. If we only look outside this province where they have the same power in regard to this department, if we look at the history of the administration of this particular branch in other provinces, we find a different story altogether. We find that earnest attempts were made in almost all the provinces. In some cases it may be that they were not successful at the beginning. We find all the same an earnestness shown to grapple with this question. We find that as early as 1921, as soon as reforms came into force, the Governments of Bengal and the United Provinces started the scheme of licensing boards with the surcharge system. Under that system they appointed a number of boards and stopped auction. The licensing boards had power to appoint vendors for the sale of liquors. They gave power to the licensing board to supervise the sale in those areas. They fixed the hours of sale and the price. I have been able to gather information both personally and from the reports about the United Provinces. We find that as a result of introducing this system their consumption fell from a million and five hundred thousand and odd gallons to six hundred and forty thousand. That is the result that has been obtained during the last five years. I also hear that as a result of this policy they have been able to get one retired Deputy Collector and four or five graduates as vendors of these shops. I have been assured that the work of these licensing boards has been so good and the result obtained by the working of the system has been so much beyond question that, in the last year, only three years after it has been in working, a conference has been called by the Government of the United Provinces and as a result of that conference the Government issued a Government Order thoroughly approving all their action. One of the things that a board tried was what is called the sealed bottle system. Here one of the difficulties that the Minister has been giving expression to in season and out of season was that there was a very large over-crowding in shops and that it was very difficult to control them. In Benares this idea of the sealed bottle system has been introduced. This is a system by which all country spirits are bottled and sealed and they are purchased by the consumer and taken home for consumption. By doing so they have been able to decrease the consumption very largely and the system has been working very satisfactorily. I have got it on the authority of the President of the Licensing Board that

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they have had absolutely no difficulty in working it. As a result of this sealed bottle system the families of the people that purchase it have not been tempted and that is the direct evidence I have got. What is more important is that the Government there have approved the suggestion to extend it to thirteen other municipalities. So that we have got the Licensing Boards doing all these things and also supervising the shops. These are the things which they have been able to introduce there, viz., the licensing board and the power of appointing vendors, fixing the hours of sale and fixing the strength of the liquor and the sealed bottle system and they have successfully and satisfactorily introduced them.

“Then the question may be asked, ‘how do they assess the revenue?’ What they have adopted is this. They have fixed the quantity for sale and as the quantity increases, the share taken by the vendor decreases. So that the interest of the vendor to raise the sales is proportionately diminished as the quantity increases. That is what is being done. To illustrate this, if the consumption is, for instance, 50 gallons, the duty may be, say, fifty times one rupee, or Rs. 50. But if the sale is 100 gallons, then the duty would be not at one rupee but, say, at Rs. 2, so that it would be Rs. 200 or so. So, as the consumption increases, the vendor has not got the same interest in pushing up the sale as much as the ordinary purchaser. As I submitted, the Government of the United Provinces has clearly shown that these matters are no longer experiments but they are matters about the results of which they could be sure. They have extended these experiments considerably over new areas. The tale they have got to tell us is something very different from that we are familiar with here in Madras. The Government there have approved of the recommendations of the Advisory Committees and those that have not been accepted formed exceptions and are very few. What is the case in our Presidency? Our Presidency has been called the benighted Province and if the administration of the Excise department is to be taken as the standard, it would very well deserve the name. Municipality after municipality, advisory body after advisory body declined to function, because the Government would not accept the recommendations of these bodies. Only the other day, the Coimbatore Municipal Council declined to elect members for the advisory body and only last month the Coimbatore taluk board declined to send any recommendations to Government because for four years, from 1920-23, not a single recommendation made by the taluk board was accepted by the Government. That is the story we have got here in Madras. Elsewhere things are different. I also find from the Administration Report of the Excise Commissioner of the United Provinces that they work out the whole thing with such enthusiasm that with the co-operation of the Government these advisory bodies have been able to achieve very good results. I do not know why in this province alone the hon. the Minister should say that there are administrative difficulties. I may refer to one or two matters that are raised in Madras. The question of preventive staff has always been thrown before us whenever the question of reduction of consumption is raised here and it is always said that there was difficulty in controlling illicit manufacture and sale. I have got here the reply of the Excise Commissioner of the United Provinces who says that ordinarily it is in the police that ought to deal with these cases and that the Revenue officers should co-operate with them. The Excise staff is only supplementary to them. He is of opinion that there is no necessity to increase this Excise staff.

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That is the reply given not by a political but by an administrative officer and the head of the department of Excise in the Government of the United Provinces. I give that reply to my hon. Friend on the other side to deeply ponder over and consider whether the excuse he has been giving is good. That is the result that has been achieved so far as one province is considered, the United Provinces.

"In Bengal practically the same thing has been done only with the addition that, as far as foreign liquor is concerned, they are imposing heavy duties so that it may not replace arrack. How that is done I have not been able to find out. But that they are doing it successfully there is no doubt. In the United Provinces also they have the same difficulty and they find that as the consumption of arrack declines there is a rise in the consumption of foreign liquor of cheap variety; the Conference I referred to proposes that in the foreign liquor shops (both retail and wholesale) there ought to be the same surcharge system, the system of charging heavily and progressively. They want a heavy duty to be imposed so that foreign liquor may not compete with arrack.

"In Bombay we have the rationing system. They have that system in addition to other changes that they have adopted. For instance they deal with the question of the hours of sale; they deal with the question of diluting the liquor, reduction in the number of shops and things like that. They follow all these schemes and along with those they adopt the rationing system. That is to say, they take a particular year and from the consumption of that year they deduct every year as they proceed, 5 per cent in the first year 10 per cent in the second year, and so on. That is the system by which they want to effect a direct reduction; and if it is at the rate of 5 per cent, the total prohibition would be reached in 20 years. But, as the Committee appointed in 1924 pointed out, we need not wait for 20 years. Because we shall come to a limit in 10 or 12 years at which it would not be profitable to keep a shop running. Even if the progressive reduction is 5 per cent at the end of 10 or 12 years, total prohibition would be possible. Even the Government that was reluctant at first appointed a committee in 1924 and were prepared to co-operate with them in their endeavours. As soon as the Reforms came into existence, all the provinces have been able to do so much. But unfortunately here in Madras nothing has been done since the Reforms came into existence to give a direct push to the policy of reduction.

"As I said, this Committee was appointed in 1924 and we find them saying that the experiment of rationing has been working well and the Government have approved of it. That Committee again goes into the question of what may be called the 'off sale', i.e., sale for drinking off the shops. That is practically the sealed bottle system. In Bombay, the Committee recommend that this off sale shops should be brought into existence in Bombay as well. That is what we have in all those places.

"Then you find, Sir, that in the Punjab already a local option Bill has been passed and brought into force. So we find all the bigger provinces making earnest efforts at tackling this question and doing something definite, not merely making pious promises or sweet nothings or things like that. They are making earnest efforts to tackle this question of great national importance. 3 p.m.

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"Now, Sir, a committee was appointed in our Presidency in 1921 and, after four years of hard work, a report issued. What does the report say? It says that none of these things that have been done in other provinces have been successful, and therefore we cannot attempt anything like that in Madras. We find the surcharge system of the United Provinces dealt with, the local option of the Punjab dealt with and the rationing system of Bombay also dealt with in their report and every one of them is rejected and rejected not even with kind words. That is the position in which we find ourselves. Well, is that satisfactory, Sir? No doubt, so far as the goal is concerned, the position is probably clearer to-day than what it was before. When I wanted to move this question two years back, the Government were not then prepared to accept prohibition as their goal. I remember the speeches both of the hon. the Minister for Excise and of the hon. (the Finance Member) Sir Charles Todhunter who came hard upon me and said that it was the dream of a visionary. Well, we have now got three Governments—I am not sure about the Government of Bengal—enunciating their policy with total abstinence as their goal. Bombay, the United Provinces and Panjab have stated that total abstinence is their goal. That is what we find. But apart from all that, I am glad that the non-Brahman Confederation, which met only in December last, has come to the conclusion that the goal of the excise policy of the Government should be total prohibition. I am still thinking that the hon. Sir Patro is here as a representative of that (non-Brahman) party and has the support of that Confederation. If that is the case, I have no fear whatever as to his attitude on this question. He will have to adopt the policy that has been adopted by his party. Therefore, so far as the goal is concerned, I think, Sir, there is no dispute.

"Now, merely stating the goal and saying that it ought to be reached as early as possible will be only a pious wish. As I said, the other Governments have adopted definite policies. What is going to be the policy of this Government? We have already lost four or rather five years from 1921 when the other Governments started on the road of progress. Now, we ought to make good our lack of progress in this direction. If we do not do so, at least we should be sure now as to what we ought to do hereafter.

"The proposals made in the report of the Advisory Committee do not lead us anywhere. It speaks of licensing boards being appointed for the purpose of reducing the number of shops by one-fifth within three years and one-third within a further period when they may review the whole position. It is only a sort of half-hearted response and I fear that it will not lead us anywhere. We want something definite. We want some goal to be fixed attainable at least within a time we can foresee. There is no use saying that we should have self-government for doing anything of the kind. It is only a negative answer. Similarly, there is no use simply defining the goal and then saying we are not going to do anything to attain that goal.

"Now, Sir, what is the policy that ought to be adopted here? As I submitted, we have got the experience of other provinces to guide us. We find that rationing has been adopted as a direct method of attaining prohibition. So, I propose, Sir, that rationing, so far as arrack is concerned, may be adopted. As regards the other thing, the question of reducing the number of shops and fixing the hours of sale and other methods of control,

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I say that the licensing boards that may be appointed may look after them as is done in the United Provinces. I am also proposing that the auctioning of shops may be abolished and, instead of that, the United Provinces system be adopted here. I am advocating the abolition of the auctioning system and the adoption of the United Provinces system only in urban areas as it is difficult to work it out in rural areas. That is why I propose that licensing boards with non-official elected majority as in the United Provinces may be constituted with the same powers here in Madras for urban areas. For urban areas we can have this rationing system so far as arrack is concerned managed by the licensing boards. These are the two definite proposals that I make in this connection.

"Now, there are two difficulties we have to face in this matter. One is that we will have to go on watching the progress we are making. As I submitted, even the other Governments have, after chalking out their programme, have thought fit to appoint committees to review the position. So also I propose that at the end of five years after giving effect to this programme we can review our position and the progress made. Then if any changes are found necessary, we can introduce them. I do not propose any time-limit for the attainment of total prohibition for that reason. But I do feel that ten years must be a sufficient period for the attainment of the goal. Another reason why I have not proposed any time-limit is that we are now proposing the adoption of two definite policies. After five years we can review the position and then fix any time-limit necessary.

"Then there are the other things such as the prohibition of sale on market, festival and pay days and the want of strict supervision over shops about which we heard so much in the Madras city itself not long ago. If these are adopted, I have got hopes that with both the proposals accepted we will be able in the next five years to reduce consumption to something like 50 per cent seeing that by the policy adopted in the United Provinces they have been able to reduce consumption by 60 per cent within five years. So, Sir, the attainment of that result cannot be beyond our reach. It is with that view that I am proposing this resolution.

"There is only one other objection which I ought to meet before I close, viz., the question of finance. When I was asked to appear before the Advisory Committee to give my advice, more than once I was asked what I was going to propose to meet the deficit that will be occasioned by the adoption of a policy of prohibition. In the first place, when we are following a policy like this, we are not going to take away the revenue in one year. The reduction is going to be gradual, year after year. Our income from the excise administration has risen from 300 lakhs to the present figure during the last twelve years. It is not as if we had this revenue for ever and we are going to give it up. Within 10 or 12 years from 300 lakhs it has come to 600 and odd lakhs. It has been a gradual growth. So also, when you make the reduction gradual like that, the only deficit we will have to meet will be about 40 or 50 lakhs every year. We will certainly be able to find ways and means to meet this deficit.

"In this matter we are in an advantageous position compared with the other provinces. The other provinces have not such a big reserve as we have got with the Imperial Government in the shape of our contribution. No

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doubt looking at it from one point of view this is a misfortune, but considering the needs of our presidency and considering also the necessity for meeting the deficits occasioned by our excise policy I consider this a god-send. If this contribution is released, the major portion of it ought to go to meet the deficit that is occasioned on account of the progressive methods we are going to follow to put down the drink evil. If this is accepted the question of how to meet the deficit will not arise at all. If even after that we want further revenues, well, we ought to be able to find it by retrenchment. It may be said 'We have made so much reduction in our expenditure and it will not be possible to make any further reduction.' Is that true? I was a member of the Retrenchment Committee. I know what retrenchments have been made and what further retrenchments can be made. After the Retrenchment Committee had finished its labours, the cost of the administration has increased by about 150 lakhs. It has consumed 126 lakhs released by the Government of India and another 30 or 40 lakhs got by increase in the revenue. All these we have been able to spend. That is our position. Even in the Retrenchment Committee, the whole House knows, we did not want to push our strong views. What we wanted to do was as early as possible to effect as much retrenchment as possible and we had to make compromises. We had to make compromises with the heads of administration and had to agree to the maximum cut they would allow. That is the way in which retrenchment was effected, and I have no doubt that further retrenchment can be made in the expenditure. By this means also we can meet the 40 or 50 lakhs deficit. As I said the cost of the administration has increased by about 150 lakhs in two years. We ought to be able to reduce it considerably. So, it seems to me that within the next five years we can see how this system works and then sit together to find ways and means to meet the possible further deficit. Further, I am absolutely certain that the country will be prepared to foot any bill that may be found necessary for obtaining this very desirable end.

"Well, Sir, I do not want to take up any more time of the Council. I only request it to carefully go through the matter. There is no use merely making pious resolutions. Let us know exactly where we are. Let us adopt at least something which will ultimately lead us to where we want to go. Mere promises are of no use. So I do hope that earnest consideration will be given to my proposal by all sides of the House, that they will see that what I have proposed is based on actual experience in our own country in other provinces, that there is nothing new in what I have proposed. Therefore, I hope that the House will accept my proposals."

* Diwan Bahadur M. KRISHNAN NAYAR :—"Sir, I beg with the leave of the House to speak on the following resolution already moved by Mr. Muniswami Nayudu :—

'That this Council recommends to the Government that it should be the declared policy of the Government that total prohibition of drink is the ultimate goal to be attained within a period of thirty years and that the same be worked up to by gradual decrease in the number of shops as regards toddy and by gradually reducing the consumption of arrack by adopting rationing or other policy and further recommends to the Government that with a view to give effect to the policy

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immediately, the Finance Committee be requested to explore and report to this House the possibilities of making up the loss of excise revenue by retrenchment of expenditure or other means.'

"With regard to the first part of the resolution, namely, that it should be the ultimate policy of the Government that total prohibition should be introduced, there is an unanimity of opinion not only in this House, not only among all sections of this House but throughout the Presidency. According to the Muhammadan religion, drink is prohibited altogether. According to the Hindu religion also, it is prohibited. As a matter of fact, some of the Hindus drink just as some of the Muhammadans drink. According to Hindu religion drinking or *surapanam* is considered as one of the *panchamahapapams* (five great sins). We know that that habit sucks the life-blood of the nation. There is no doubt that drinking ought to be totally prohibited and the hon. the Minister in charge will not deny that.

"The second part of the resolution relates to the period within which prohibition should be introduced. This resolution fixes the period as 30 years. I know that some of my Friends who are ardent reformers will be impatient to wait for a period of 30 years. Probably they may think it is too long a period. In any case there can be no objection for adopting this period if it is definitely understood that Government will do something definite to bring about prohibition within 30 years.

"The third part of the resolution relates to the method of introducing this and the sentence reads thus:—'That the same be worked up to by gradual decrease in the number of shops as regards toddy and by gradually reducing the consumption of arrack'. With reference to toddy there seems to be some difference of opinion. Of course, it is admitted that even toddy contains alcohol and the drinking of toddy must therefore be injurious to the system. Even in the case of toddy it is desirable and necessary to reduce consumption. In the case of arrack it is stated that one method of reducing the consumption is rationing, and I would strongly recommend to my hon. Friend, Sir A. P. Patro, that system. I do not wish to go into the details of that system. Suppose, in an area, there is a consumption of 5 lakhs of gallons, the method that is proposed is to reduce the consumption, say, by 3 per cent in the first year, and 3 per cent or more during the next year, and so on, and then ultimately in the course of a few years, make the whole quantity disappear, and thus reach the goal. If we want to reach our goal, the only method is the adoption of the system of rationing, and we shall be able to bring about total prohibition within a period of thirty years. In addition to this method, the adoption of other methods such as reduction in the number of shops or decrease in the issue of licences or shortening of hours of sale referred to in the report may be followed, and thus total prohibition may be brought about within a period of thirty years.

"The last part of the resolution refers to the question of finances. My hon. Friend Mr. Satyamurti in his learned speech said that, if necessary, additional taxation might be resorted to as a substitute for any deficit in revenue which might result owing to total prohibition. I think it will not be necessary to introduce additional taxation. As has already been referred to, a certain portion has been released in our contribution to the Central Government. A portion of that amount might be utilized to

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to meet this deficit, and we may also adopt retrenchment in our expenditure in other directions. Certainly it must be within the power of the hon. Members of this House to constitute a committee to find ways and means, and thus make up the deficit which may arise as a result of prohibition. If the whole of this drink revenue were to disappear suddenly, it would be a serious loss to the Government, but according to this resolution, the whole of this drink revenue will have to disappear only within a maximum of thirty years. Therefore, I submit it is certainly not difficult to give effect to this resolution. More than one of my hon. Friends have agreed to this course and I hope this resolution will be accepted."

* Mr. B. RAMACHANDRA REDDI:—"I want to say a few words after the many elaborate and intoxicating speeches that have been made. I do not want to waste the time of the Council by enumerating what has already been stated. Total prohibition has not been successful in any country in the world. With regard to the first part of the resolution, viz. to reach the goal of total prohibition earlier or later, I may say that I differ from others in the period during which the goal has to be reached. Very recently people in our country were getting into temperate habits either forcibly or by other means. But now it has come to the old state of affairs. So the Government have to think twice before they rush to any hasty legislation. We should not take into consideration the resolutions that are passed vaguely in conferences and confederations. We have to take note of the facts before us. We have to take note of the legislation that is being adopted and worked up in other countries. Knowing how America has succeeded so far, I should think that we have to pause a while and then proceed. I find from the reports and personal talks with certain American gentlemen that prohibition in America has been a failure (Mr. Satyamurti:—'Question') If the report is correct, I find that girls there who had not been taking to drink are now doing so. Then, Sir, the American Government are now spending very huge sums upon Police budgets to keep people in a temperate mood. That is a very funny method. Now in our Presidency, the Police budget is already very heavy, and if we have to increase it, the cost will be burdensome."

"As regards the period in which the goal of prohibition should be reached, there are very many difficulties in the way. I hold that a period of thirty years will not be a very disheartening period. But, if some hon. Members of this House are of opinion that the period may be decreased to some extent, I am amenable to a change of twenty five or twenty years."

"The most important point that this resolution has raised is the request that has been made to the Finance Committee to explore and report to this House the possibilities of making up the loss of excise revenue. Before knowing where we are with regard to the finances of the State, before knowing whether we can afford to spend more sums over the police for keeping our people in a temperate mood and before understanding our own capacity to tax ourselves any further, it is not worth while to proceed with this campaign of prohibition."

"I suggest therefore that the Finance Committee might be asked to consider the question of prohibition and finance and when they make a report to the House the House will be in a better position to tackle the problem. With these observations, I support the motion and recommend it for the acceptance of the House."

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* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I beg to move that for the word 'thirty' occurring after the words 'within a period of' the word 'ten' be substituted, and after the word 'shops' and before the words 'as regards' the words 'and trees marked for tapping' be inserted.

" Sir, the hon. Member Mr. Krishnan Nayar has made a very beautiful speech and intoxicated the whole House. If votes were taken, then Government might say that the hon. Members were moved by his speech and voted when they were not cool in their heads. I have got also some doubt that Government would accept the resolution. I do not know if my hon friend moved the resolution knowing that Government would accept it or whether Government are going to accept it because he had made that vehement speech. Anyhow, his arguments support our main contention in this debate. While the hon. Member Mr. Ramachandra Reddi was speaking, we sometimes thought that he was making a speech against prohibition and thus advocating the cause of the trade. But he said that he was not unwilling to accept the period to be 20 or 25 years if it was felt that thirty years was too long. The proposition as it stands sounds well, but it would be absolutely useless if we do not indicate the percentage of decrease for every year and if we do not limit the period to ten years. As it is worded at present the decrease per annum may be 1 per cent or 1 thousandth per cent. If the hon. Member Mr. Krishnan Nayar had worded his proposition in such a way as to indicate the proportionate decrease every year, we would have supported his proposition. Otherwise the decrease may be nothing every year.

" The only other dangerous words are 'rationing or other policy'. What is that other policy? The licensing board, the reduction in shops, reduction in the hours of sale,—all these things we have seen. In spite of all these, the income from excise which was three crores in the beginning of the Reforms has now gone up to $5\frac{1}{2}$ crores. Therefore, I suggest that unless there is a special provision that every year there should be a proportionate decrease the proposition of gradual reduction is absolutely useless. After thirty years, we do not know what Government will be here and what their policy will be. We may not all live for thirty years; but many of us may hope to live for at least ten years more and within that time we may hope to see a dry India if my amendment is carried. The hon. Minister said that the Bombay Committee was against this proposal; and then he said that the Bombay Government were against it. I have got here a rejoinder to that view which says that if the Government had carried out all the recommendations of the Committee in actual operation it would have led to the extinction of liquor traffic and there was no necessity for limitation of time. But Government were not prepared to accept the recommendations of the Committee. To take only a few portions of the recommendations and say that they did not recommend any time-limit is neither reasonable nor fair. Why should the hon. the Minister for Excise go to the Bombay Government in this matter? Madras has given a very good example. We have made very good progress here. In the first Council, His Excellency Lord Willingdon gave his sanction for the Local Option Bill which Mr. Ramachandra Rao wanted to introduce. Later on, I wanted to introduce a Local Option Bill which was more favourably worded from the stand point of the Government, after a conference between the Revenue Secretary, the

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Excise Commission or and myself. But sanction was refused to this mild measure. And Bombay did take a very good lesson from Madras, and the Government of Bombay which gave sanction to the Local Option Bill some time back has now revoked it, following the example of His Excellency the Governor of Madras. That is the progress which we have made ; even the Local Option Bill has been refused sanction.

“ So far as the period of ten years is concerned, I am not particular about it ; let the leaders on both sides, the hon. Member, Mr. Krishnan Nayar, and others consult one another and fix it at twelve or fifteen years. But I am anxious that there should be provision for a proportionate decrease every year.

“ With regard to toddy, I may say that so far as the district which I represent is concerned, and I am sure my hon Friend, Mr. Veerian, will agree with me, that the excess of crime is due to toddy and not to arrack. You may trace most of the murders to toddy. (Mr. R. Veerian : ‘ Hear, hear’). So far as the poor people are concerned, unless toddy is prohibited there will be no improvement in the condition of the people. Unless we take some immediate steps to reduce the consumption of toddy, we may justly say that we do not represent the poor but only the rich. As has been said many of our friends and relations may be drinking costly English spirits ; but we are most anxious to reduce the consumption of toddy in the case of the poor people. I am glad that the resolution of the hon. Member, Mr. Krishnan Nayar, does not forget this. He is one of those who holds the same view that even toddy is bad for health, and that toddy must be prohibited if we want to do any good to the lower classes. But what is the use of reducing the number of shops ? Reports of the excise department go to show, year after year, that the reduction of shops does not result in any reduction in consumption though at best it keeps the consumption in the same stage as before. Unless some more effective steps are taken to reduce consumption of toddy, there is no use of reducing the number of shops. We must reduce the quantity of toddy available for consumption by reducing the number of trees tapped. If the quantity of toddy produced is the same and if the number of shops is reduced, even though there is no shop close by to sell the toddy produced, the drinkers will go to the toddy shop where it can be had. In some cases, if they do not go to toddy shops, the toddy goes to them. Mr. C. Rajagopala Achariyar of Pudupalaiyam Ashramam has shown that toddy has been sold in places outside the shops near the Ashramam and though questions have been asked, Government have not taken up the challenge and issued a communique denying the fact. The hon. Minister may say that this is not a fact ; I am afraid he is not going to say that. He cannot do that. The shop renters who pay considerable sums as mamul and tree taxes would not keep quiet with their toddy ; they would try their best to sell it ; they would not throw that in the well ; but must find some consumers for that. If you reduce the shops, where is the consumer to go ? He will have to go to the next available shop ; if no licensed shop is available, he will have to go to a shop which is not licensed. Every tree will be a shop. If we are earnest in our attempts to reduce the consumption, we must go to the root of the question and reduce the quantity of toddy available for consumption. The number of trees tapped must be reduced. Even supposing my amendment regarding ten years is not carried, I appeal to Mr. Krishnan Nayar to lend

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his support to the second amendment the principle of which is that the reduction of consumption should be achieved not only by a reduction in the number of shops, but also a reduction in the quantity of toddy available by reducing the number of trees tapped. I appeal to Mr. Krishnan Nayar and his other hon. Friends to support the second amendment at least, since it does not conflict with the financial arrangement of the Government."

Mr. R. Srinivasa Ayyangar seconded the amendment

* Rao Bahadur C. NATESA MUDALIYAR :—" With your permission, Mr. President, may I move an amendment that for the word, ' thirty ' after the words ' within a period of ' of the resolution, the word ' twenty ' may be substituted? "

* The hon. the PRESIDENT :—" As the hon. Member has not given due notice of his amendment, I shall ask whether any hon. Member objects to his amendment. (After a pause). As there is no objection, I allow his amendment."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, I move that in line 3 of the resolution for the word ' thirty ' the word ' twenty ' be substituted."

Mr. R. MADANAGOPAL NAYUDU :—" I second the amendment. In doing so, I wish to say a few words explaining the matter which was referred to by some of the hon. Members this morning. It was stated that a resolution was passed by the last Non-Brahman Federation to the effect that the period within which total prohibition should be an achieved object should be one of ten years. The resolution that was actually passed was ten years, but what was intended by the majority of people was really twenty years."

3-45
p.m.

* Mr. C. V. VENKATARAMANA AYYANGAR :—" A matter of personal explanation, Sir. I referred to the meeting held at Amraoti also."

Mr. R. MADANAGOPAL NAYUDU :—" The last Non-Brahman Conference was held only at Madras "

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I am referring to the Conference held at Amraoti during the Christmas week."

Mr. R. MADANAGOPAL NAYUDU :—" The reference that was made this morning was to the Non-Brahman Federation. It was held in Madras. As regards that, I want to explain how that resolution came to be passed. Some resolutions were asked to be drafted by a small committee. The draft of this resolution was put before the Subjects Committee. It was expected that it would be discussed at the Conference and some members wanted to move amendments that the period should be twenty years. On account of the exigency of time, the matter did not come up for discussion. The resolution was put from the Chair and carried before anybody could think of moving amendments. That was how the period was fixed as ten years. We wanted to think of the question seriously and arrive at a period during which the scheme could be successfully carried out. Some of us wanted that it should be twenty years. It is in pursuance of the consensus of opinion that Dr. Natesa Mudaliyar moves that the period should be twenty years. I second the amendment."

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*The hon. Rao Bahadur Sir A. P. PATRO :—" Sir, in addition to what I have said in opposing the amendment moved by the hon. Member from Coimbatore, I submit that it has been very definitely laid down in the recommendations of the Bombay Excise Committee, paragraph 109, ' From the considerations set forth by us, it will be seen that the Committee have attempted to study carefully in all its aspects, the question of prohibition discussed in this and other countries '. They concluded in the last chapter, that the present policy of the Government in regard to excise should not be to change the method completely. The policy which the Government should, in their opinion, lay down in future, should be to aim at the total extinction of the consumption of alcoholic liquors, including toddy, by suitable steps. The Committee. . . . "

* Mr C. V. VENKATARAMANA AYYANGAR :—" On a matter of personal explanation, Sir. I quoted another portion. In fact, our scheme has been so devised. . . . "

* The hon. the PRESIDENT :—" How is that a matter of personal explanation ? Has the hon. the Minister misinterpreted the hon. Member's quotation ? "

* Mr. C. V. VENKATARAMANA AYYANGAR : - " The hon. the Minister is reading something which I did not read. I was referring to some other portion."

*The hon. Rao Bahadur Sir A. P. PATRO :—" That portion is not relevant. The relevant portion which can be referred to is this : ' The Committee do not propose the idea of laying down, as suggested by most of the witnesses, a definite period of time within which such extinction should necessarily be brought about.' We have the opinion of the Committee which sat and heard evidence on all the aspects of the matter and they say careful consideration was given to the evidence before them and they consider that the fixing of any time-limit as proposed by the hon. Member from Malabar or Coimbatore is not a suitable way of effecting excise reform. The only way in which it can be done has been indicated by the hon. Member representing the University, viz., that you shall have to take such suitable steps as will conduce to effect the reform and no time-limit is possible. By fixing a time limit you cannot rush through this reform. The reform will take a very long time and it is not possible for anybody to achieve the result within a certain period. Our procedure to reach the goal should be gradual. Therefore, the fixing of a time-limit does not seem to be sound, practical or advisable. The recommendation made by the Committee that met at Ootacamund was that the goal should be reached as early as possible. They refrained from recommending any time-limit. There was a general agreement that it is not desirable to fix any time-limit.

" I have one other opinion to refer to, that of the hon. Member opposite representing the University. While speaking on excise policy in August 1924, he gave the reasons why it would not be possible to fix any time-limit. He said rightly that the experiment of prohibition, must proceed *pari passu*, with the steps to enable the Government to establish a sufficiently strong detective force to prevent illicit distillation and sale. The second reason he gave was a reasonable time to be given to the liquor trade to adjust itself to the new conditions; and the third reason he gave was, *pari passu*, that there must also be time for the provincial exchequer to adjust itself to

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[Sir A. P. Patro]

the new conditions. Three reasons were given in order to show that no time-limit is possible or practicable because time has to be given to the liquor trade to adjust itself, to the Government to adjust its finance and to the people to understand the policy that is inaugurated. For these reasons, I think it is altogether impracticable, unnecessary and undesirable to fix any time-limit, and I therefore oppose the amendment moved by the hon. Member from Coimbatore.

"As regards toddy, Sir, the question was before the Committee whose report we are now considering. The question also came up before the meeting at Ootacamund and my Friend representing Coimbatore, Mr. Ramalinga Chettiyar, was also in favour of giving certain concessions to toddy because he said it was not very dangerous. The general conclusion of the Committee as given in page 52 was that toddy should be left alone for the present and the measures of restrictions now in force might be continued. After the trouble taken to examine the case for toddy and for arrack, they have recommended that toddy should be left alone. I therefore oppose the amendment moved by the hon. Member from Coimbatore."

* Mr. S. SATYAMURTI :—"May I, for the information of the House, request the hon. Minister to be good enough to say whether he accepts the amendment moved by the hon. Member below the gangway representing Madras City or whether he opposes it."

* The hon. Rao Bahadur Sir A. P. PATRO :—"I thought we are only discussing the amendment to the resolution and the main resolution itself will be replied to by me later on. I oppose any amendment which fixes a time-limit."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"The position of some of us is this. I think it is necessary that we should explain our voting. I have specifically said that my view is that it is of great importance that we should adopt a specific policy. After a time we will have to review the position and see what changes we have to make. If that view is accepted, there will be no use in fixing any period. A certain period, viz., 30 years, is fixed in the resolution. Certainly we cannot accept that. Because a period is mentioned in the resolution, we have to vote on this amendment fixing a shorter period. It is not because it is absolutely essential but it is because the resolution as it is framed fixes a period. That is the reason why we are going to vote on the matter."

"As regards the other matter about which the hon. the Minister spoke, viz., that I said that so far as toddy is concerned nothing is necessary, I wish he had read the previous sentence. The general policy should embrace both toddy and arrack, but toddy may be treated more lightly. It is not so bad. Ultimately it must go. I do not say that toddy should not be dealt with at all. I only wanted that in the treatment of arrack and toddy different methods may be adopted. That was on account of the fact that toddy depends for its supply upon the trees. They again depend for the supply of toddy on the season and so many other things. By merely reducing the number you cannot actually reduce the consumption of toddy. It was on account of that difficulty and also because toddy was not considered to be so bad as arrack, I thought a different treatment might be given. I do not mean that toddy should be left alone. I want that toddy-drinking also must go."

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The amendment of Mr. C. V. Venkataramana Ayyangar to substitute 'ten' for 'thirty' was put to the House and declared lost.

The amendment of Rao Bahadur C. Natesa Mudaliyar was put to the House and declared lost.

4 p.m. A poll was demanded and the House divided thus :

Ayes.

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|----------------------------------------------|-------------------------------------------------------------|
| 1. Sir K. Venkatarreddi Nayudu. | 29. Mr. P. Peddiraju. |
| 2. Rao Bahadur O. Tanikachalam Chettiyar. | 30. " P. S. Rajappa. |
| 3. " C. Natesa Mudaliyar. | 31. " M. R. Seturatnam Ayyar. |
| 4. Mr. P. K. S. A. Arumuga Nadar. | 32. " V. C. Vellingiri Gounder. |
| 5. Rao Sahib S. Ellappa Chettiyar. | 33. " P. C. Venkatapati Razu. |
| 6. Mr. A. Ramaswami Mudaliyar. | 34. " S. Satyamurti. |
| 7. Diwan Bahadur P. C. Ethirajulu Nayudu. | 35. " C. Maruthavanam Pillai. |
| 8. Rao Bahadur Cruz Fernandez. | 36. " V. Pantulu Ayyar. |
| 9. Rao Sahib P. V. Gopalan. | 37. " G. Rameswara Rao. |
| 10. Rao Bahadur K. Krishnaswami Nayudu. | 38. Diwan Bahadur M. Krishnan Nayar. |
| 11. Mr. R. Madanagopal Nayudu. | 39. Rao Bahadur P. Raman. |
| 12. Hony. Lieut. Madurai. | 40. Mr. K. Sitarama Reddi. |
| 13. Mr. P. N. Marthandam Pillai. | 41. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 14. Diwan Bahadur A. M. Murugappa Chettiyar. | 42. Mr. R. Veerian. |
| 15. Mr. C. Muttayya Mudaliyar. | 43. " S. Venkatachala Padayachi. |
| 16. " P. Sagaram. | 44. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 17. " B. Ramachandra Reddi. | 45. Mr. Muhammad Ghouse Mian Sahib. |
| 18. Rao Bahadur C. V. S. Narasimha Raja. | 46. Khan Bahadur V. Hamid Sultan Marak-kayar Sahib Bahadur. |
| 19. Mr. C. Ramalinga Reddi. | 47. Mr. Qadiri Muhi-ud-din Sahib. |
| 20. Rao Bahadur T. A. Ramalinga Chettiyar. | 48. Sriman Sasibhushan Rath Mahasayo. |
| 21. Mr. J. A. Saldanha. | 49. Mr. R. Srinivasa Ayyangar. |
| 22. " A. Ranganatha Mudaliyar. | 50. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 23. " Abdul Hye Sahib. | 51. Mr. K. Uppi Sahib. |
| 24. " A. Chidambara Nadar. | 52. " C. V. Venkataramana Ayyangar. |
| 25. " M. Gangarazu. | 53. " Naganna Hegde. |
| 26. " C. Gopala Menon. | |
| 27. " K. Koti Reddi. | |
| 28. " S. Muttayya Mudaliyar | |

Noes.

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|-------------------------------------------------|---------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 8. Mr. G. T. Boag. |
| 2. " Mr. N. E. Marjoribanks. | 9. " V. Pandrang Row. |
| 3. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 10. " F. Noyce. |
| 4. " Mr. T. E. Moir. | 11. " S. Arpudawami Udayar. |
| 5. " Diwan Bahadur Sir T. N. Sivagnanam Pillai. | 12. Rao Sahib T. C. Tangavelu Pillai. |
| 6. " Rao Bahadur Sir A. P. Patro. | 13. Mr. C. E. Wood. |
| 7. " the Raja of Panagal. | 14. Capt. E. G. Windle. |
| | 15. Sir Alexander MacDougall. |
| | 16. Rao Sahib R. Srinivasan. |

Ayes 53 : *Noes* 16.

The amendment was carried.

The second part of the amendment of Mr. C. V. Venkataramana Ayyangar was then put and the House divided thus :

Ayes.

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|-------------------------------------------|---------------------------------|
| 1. Rao Bahadur C. V. S. Narasimha Raja. | 10. Mr. C. Gopala Menon. |
| 2. Mr. C. Ramalinga Reddi. | 11. " K. Koti Reddi. |
| 3. Rao Bahadur T. A. Ramalinga Chettiyar. | 12. " S. Muttayya Mudaliyar. |
| 4. Mr. J. A. Saldanha. | 13. " P. Peddiraju. |
| 5. " P. Siva Rao. | 14. " P. S. Rajappa. |
| 6. " A. Ranganatha Mudaliyar. | 15. " M. R. Seturatnam Ayyar. |
| 7. " Abdul Hye Sahib. | 16. " V. C. Vellingiri Gounder. |
| 8. " A. Chidambara Nadar. | 17. " P. C. Venkatapati Razu. |
| 9. " M. Gangarazu. | 18. " S. Satyamurti. |

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Ayes—cont.

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|-------------------------------------------------------------|--------------------------------------------------|
| 19. Mr. C. Maruthavanam Pillai. | 26. Mr. Quadir Muhi-ud-din Sahib. |
| 20. „ V. Pantulu Ayyar. | 27. Sriman Sasibhushan Rath Mahasayo. |
| 21. „ G. Rameswara Rao. | 28. Mr. B. Srinivasa Ayyangar. |
| 22. „ R. Vecrian. | 29. Khan Bahadur F. Khalif-ul-lah Sahib Bahadur. |
| 23. Rao Bahadur A. S. Krishna Rao Pantulu. | 30. Mr. K. Uppi Sahib. |
| 24. Mr. Muhammad Ghouse Mien Sahib. | 31. „ C. V. Venkataramana Ayyangar. |
| 25. Khan Bahadur V. Hamid Sultan Marak-kayar Sahib Bahadur. | 32. „ Naganna Hegde. |

On Mr. P. Siva Rao crossing the floor of the House, the hon. the PRESIDENT said:—“I would ask hon. Members not to leave their places till the division is over.”

Noes.

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|-------------------------------------------------|-----------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 19. Rao Bahadur C. Natesa Mudaliyar. |
| 2. „ Mr. N. E. Marjoribanks. | 20. Mr. P. K. S. A. Arumuga Nadar. |
| 3. „ Khan Bahadur Muhammad Usman Sahib Bahadur. | 21. „ A. V. Bhanoji Rao. |
| 4. „ Mr. T. E. Mon. | 22. Rao Sahib S. Ellappa Chettiyar. |
| 5. „ Diwan Bahadur Sir T. N. Sivagnanam Pillai. | 23. Mr. A. Ramaswami Mudaliyar. |
| 6. „ Rao Bahadur Sir A. P. Patro. | 24. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 7. „ the Raja of Panagal. | 25. Rao Bahadur Cruz Fernandez. |
| 8. Mr. G. T. Boag. | 26. Rao Sahib P. V. Gopalan. |
| 9. „ V. Pandrang Row. | 27. Rao Bahadur K. Krishnaswami Nayudu. |
| 10. „ F. Noyce. | 28. Mr. R. Madanagopal Nayudu. |
| 11. „ S. Arpudaswami Udayar. | 29. Hony. Lieut. Madurai. |
| 12. Rao Sahib T. C. Tangavelu Pillai. | 30. Mr. P. N. Marthandam Pillai. |
| 13. Mr. K. Prabhakaran Tampian. | 31. Diwan Bahadur A. M. Munugappa Chettiyar. |
| 14. „ C. E. Wood. | 32. „ M. Krishnan Nayar. |
| 15. Capt. E. G. Windle. | 33. Rao Bahadur P. Raman. |
| 16. Sir Alexander MacDougall. | 34. Mr. J. D. Samuel. |
| 17. Sir K. Venkataraddi Nayudu. | 35. Rao Sahib R. Srinivasan. |
| 18. Rao Bahadur O. Tanikachalam Chettiyar. | 36. Diwan Bahadur K. Suryanarayanaiah Nayudu. |
| | 37. Mr. S. Venkatachala Padayachi. |

(Cries of “Neutral”.)

The hon. the PRESIDENT:—“I would ask hon. Members to rise in their places to make any demand.”

Mr. A. RANGANATHA MUDALIYAR:—“Neutral, Sir.”

Neutral.

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|-------------------------------|-------------------------------------|
| 1. Mr. C. Muttayya Mudaliyar. | 5. The Raja of Ramnad. |
| 2. „ B. Ramachandra Reddi. | 6. Mr. K. Sitarama Reddi. |
| 3. „ P. Sagaram. | 7. „ Chavadi K. Subrahmanya Pillai. |
| 4. Rao Sahib K. V. Ramachari. | |

Ayes 32 : Noes 37 : Neutral 7.

The amendment was lost.

* Rao Bahadur C. NATESA MUDALIYAR:—“Mr. President, Sir, my resolution was this:—

‘That this Council recommends to the Government that local option should be the immediate policy of Government and further recommends that Government should explore, with the assistance of a committee of this House, the financial sources available for gradually recouping the loss of the excise revenue with the view of finally adopting total prohibition.’

[Mr. C. Natesa Mudaliyar]

[8th February 1926]

"Before going into the subject, I will have to make a personal explanation. It is not this year, Sir, that I have taken to prohibition work. It is not three years ago when my first election took place that I took to prohibition work. It was in about 1908, long before the hon. Member for the University dreamt of political field, as the Vice-President of the Temperance Association at Cocanada that I took to prohibition work. We did not sit down in the councils and move resolutions but we went from street to street preaching near toddy shops converting a number of workmen to be teetotallers. It is not this year for election's sake that we are doing this work as the hon. Member for the University mistakes us. We have laid down the policy long before and we *will* follow it whether we are elected or not. We know our duty to our people. Our people are in the majority and we know our work for them."

(Cries of "Who are the people?")

* Rao Bahadur C. NATESA MUDALIYAR :—"The Non-Brahmans. It has been agreed on all sides that on the drink question, prohibition is our goal and the committee was appointed, I understood, only to find out the means and methods to achieve that object. The report of the committee is before us. It is a most disappointing one and it falls far short of our expectations. The conclusions arrived at by the committee could never be substantiated. Suggestions after suggestions have been taken up only to prove their futility and their impracticability in other provinces. There is a feeling pervading the whole report that drink in small quantities is permissible, and that drink under certain conditions and in certain forms is a necessity for life. Sir, I can prove here to this Council that drink even in small quantities is a poison to the body and injurious to the health. In small quantities if it stimulates the depression its effect is much more than what it was before the drink was taken. If it increases the appetite, it is due to the narcotic effect, rather the paralysing effect of alcohol on the nerves or the walls of blood vessels of the stomach which kept them under tonic contraction. After this paralysing effect the blood vessels dilate and they secrete more juice for digestion. If these small quantities are continued, it will end in indigestion. If the heart is stimulated and more warmth is given to the body, it is because of the paralysing effect of small quantities of alcohol on the inhibitory nerve of the hearts and the nerves of the blood vessels of the body which kept them under tonic contraction. The blood vessels dilate and more blood comes to the surfaces of the body creating warmth. If there is 'lively imagination, a rapid flow of ideas, a freer discourse and sharpened wit' it is because of the paralysing effect on the central nervous system. These small quantities of alcohol, if taken for a long time, produce a fibrous or fatty degeneration of the various organs of the body, the kidney, the liver, the heart and other organs. Sir, patients come to a medical man with cirrhosis of the liver, people who are considered to be completely temperate who were never known to have got themselves drunk, and if we put them the question whether they drink, they reply in the negative but add that they take 'nips of brandy' occasionally. It is these 'nips of brandy' occasionally that give them the bad liver. I say therefore that alcohol even in small quantities is poison and ought to be avoided.

4-15
p.m.

"Sir, in the report there is a complete partiality shown for toddy. I do not know why. Toddy, Dr. Mathai says, contains little amount of alcohol.

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It may contain at least 5 per cent or 7 per cent of alcohol. Even the beer that contains 5 per cent of alcohol produces 'gin-drinkers' liver'. So, Sir, toddy too is a poison to the body and so toddy should be avoided. I will stand for prohibition even to-day, if it is practicable, if it is possible, but Government who have been amassing large amounts from that revenue say that finance is standing in their way.

"Coming to Mr. Madurai Pillai's evidence, Sir, he says that under certain conditions, when his workmen are overworked, they cannot but have toddy. Unless they have toddy the previous day they cannot work the next day. I know, Sir, that it was proved in a practical way in the Ashante Expedition of 1874 that when soldiers were given 1½ ounces of alcohol they were able to go one mile and a half and then they got tired, and if the same quantity was repeated, they were not able to sustain themselves even for that distance. And then, when it was repeated, often and often, they became so dull that they were unwilling to work, because alcohol when it goads a man to work, it does not supply the energy sufficient for that amount of work. So, the person taking alcohol has to depend upon the capital energy of his body, not the energy supplied by alcohol as food. Every time he works, he spends his capital energy stored in the body like a man who lives upon his capital and not on the interest. This man living upon his capital energy becomes a physical bankrupt in the end.

"Then, Sir, in the Red River Expedition, they substituted rationing of alcohol by rationing of tea, at the rate of one ounce for each soldier for a day. Even those that had no experience of working in the field endured, not for a day or two, but for four months. So it is said that, even if nothing was achieved in that expedition, it is a bright day in the annals of our army because it proved the fallacy that drink was necessary under certain circumstances. So, Sir, under no circumstances is drink necessary. So, drink in small quantities, drink in any form, drink under any circumstances, is an evil and should be avoided. Some people say, Sir, that in cold countries drink is necessary. In fact, it is in cold countries that drink is not necessary. In cold countries nature contracts blood vessels and keeps up the heat inside the body. If you take to drink, the blood flows into the blood vessels of the body on the surface and the heat is radiated away. So, drink is not necessary even under certain conditions of climate or weather."

Mr. C. RAMALINGA REDDI :—"On a point of order, Sir, since prohibition has been agreed to, is it necessary to have this dissertation?"

* Rao Bahadur C. NATESA MUDALIYAR :—"Sir, we are speaking upon the report . . ."

Mr. A. RANGANATHA MUDALIYAR :—"Upon the resolution, Sir."

* Rao Bahadur C. NATESA MUDALIYAR :—"Now, Sir, the hon. the Minister read out that toddy is necessary and that toddy is not to be disturbed."

* The hon. Rao Bahadur Sir A. P. PATRO :—"I am afraid, Sir, my hon. Friend is not quoting me correctly. I never said that toddy is necessary. I only quoted the report of the consultative committee which said that, for the present, they need not deal with toddy."

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* Rao Bahadur C. NATESA MUDALIYAR :—“ He read out, Sir, that for some time toddy should be left out. We are not for leaving toddy out. Toddy should be prohibited.

“ Sir, coming now to the question before us, what I would request Government to do is this. There is no use of proposing schemes, schemes of licensing bodies and then fettering their discretion. If in the opinion of the Government suggestions considered separately are useless, let the Government see whether the combination of some of them will be of any use. Let there be reduction of shops. Let Government orders be issued immediately that there should be a reduction of shops. In reducing the shops there is the difficulty, they say, other shops will be overcrowded and that will be a nuisance. Let there be rationing then; thus that nuisance can be avoided. There should be rationing of toddy, arrack and other liquors. When we have lost Mr. C. V. Venkataramana Ayyangar's amendment, we cannot but go back to rationing toddy too. Then, let there be local option given. If people in a locality do not want a toddy or arrack shop to be placed near them, why should you force it on them? In my division, the Triplicane division, the Collector of Madras forced a toddy and arrack shop on us when we, the residents of that division, said that we did not want it. Then, Sir, let the hours be fixed. Let the shops be open only for a few hours in the day and at the same time, let all toddy and arrack shops be closed on holidays. If, Sir, Mr. Muniswami Nayudu's resolution is carried, I think I will have to plead only for local option and withdraw my resolution.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ Sir, I do not want to impair, and I do not intend marring, the effect of such a beautiful speech by an expert doctor, and so I do not move my amendment.”

* Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Sir, the resolution I had the honour to move was this—

That this Council is of opinion that the recommendations of the Excise Advisory Committee are not calculated to effect any substantial improvement in excise administration and makes the following recommendations to the Government :—

- (1) *that it be declared that the goal of the excise policy is the total prohibition of drink and that the goal will be worked up to by definite stages and as early as possible ;*
- (2) *that steps be taken to reduce the quantity of arrack manufactured or available for sale by a fixed proportion every year, so as to eliminate it altogether in twenty years ;*
- (3) *that steps be taken to reduce the number of trees tapped for toddy year after year ;*
- (4) *that steps be taken to reduce the quantity of foreign liquor available for sale ;*
- (5) *that steps be taken to reduce the number of shops for the sale of intoxicating liquors or drugs and to increase the excise duties ;*
- (6) *that a system of local option be introduced, with an extension of the franchise now fixed for election to the local bodies ;*

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- (7) *that the constitution of the proposed Licensing Boards and Advisory Committees be made more popular by the increase of the non-official and the decrease of the official element therein ;*
- (8) *that the powers of the proposed Licensing Boards and Advisory Committees be extended to toddy shops and be made more real and effective ;*
- (9) *that facilities be given to local bodies, village panchayats, co-operative societies, temperance societies, social leagues and other non-official agencies to carry on educative propaganda among the masses regarding the evils of drink and to organize vigilance committees to prevent illicit distillation of liquor ;*
- (10) *that provision be made for the teaching of temperance in schools ;*
- (11) *that a large portion of the sum secured by the remission of provincial contribution amounting to not less than half that sum be set apart annually to recoup the loss of excise revenue ;*
- (12) *that measures of general retrenchment of public expenditure be undertaken to recoup the loss of excise revenue, while retaining the establishment necessary for the suppression and detection of crime in regard to excise matters ;*
- (13) *that if after setting apart a portion of the amount of provincial contribution remitted and after effecting retrenchments and after increasing excise duties it is found that there is still deficit, proposals of taxation be undertaken to the extent necessary to cover such deficit ; and*
- (14) *that in view of the delay which has already taken place immediate steps be taken to give effect to reforms in excise administration on the lines indicated above.*

"Sir, I have in this resolution referred to various detailed proposals which deserve serious consideration for the purpose of effecting improvement in the excise administration. I know that it is not possible within the short time allotted to me to deal with all the aspects of the question relating to Excise policy of Government and I shall therefore content myself with making reference to some of the important aspects of this resolution. In the first place, Sir, I wish to point out that the report of the Excise Advisory Committee is unsatisfactory and is very retrograde in character. I am sorry that we are handicapped in considering this report, owing to the neglect or the default on the part of the Government in not publishing the questions and answers received and also the evidence recorded by them. We find, Sir, from the report that, so many as 245 persons, sent answers to the questionnaire issued to them and thirteen persons were examined. And we find in the report an analysis given of the opinions of some of them. In an important matter like this, it would have been more satisfactory if a substance of the examination of at least selected persons was incorporated as an appendix to this report. It cannot be considered that the Committee was very prompt in the disposal of its business. It was constituted on 2nd December 1921, and the question was considered by a sub-committee consisting of Messrs. Strathie and Shaumukham Chettiyar who sent their report in 1922. The Committee began its work in the beginning of 1925 and it took them full three years to send out their report. The Committee

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took four years for the purpose of finishing its work, and it could as well have taken the trouble to get the evidence recorded by it placed before the House to enable us to come to a correct conclusion thereon. I am surprised that the Government did not see fit to have the evidence published notwithstanding the note of warning and discordant note struck by my hon. Friend from Coimbatore. He stated in his minute of dissent as follows: 'Dealing with the main portions of the report I am sorry to say that extracts from the written answers to the questionnaire and from oral statements of witnesses at the time of examination are not full and are more or less one-sided. I hope that all the answers as well as the statements will be fully published and, if that is done, I have every hope that what I have said above will be amply proved.'

"Notwithstanding this express minute of dissent by my hon. Friend from Coimbatore in which he suggests that the extracts were more or less one-sided and in which he suggests the desirability of publishing the evidence, we find that no steps have been taken to publish it. The date of the report is not given here, but from page 14 of the report it will be seen that it must have been sent about the 14th December 1925 and the minutes of dissent must have been received shortly afterwards. Even before the publication of the report, there was ample time to have the evidence published. Another complaint which I wish to make in dealing with this report is this. The hon. the Minister for Excise gave a wrong lead to this Committee. His note to the Advisory Committee went just on the lines of the retrograde resolution of the Government of India of 1905. When after the introduction of the Reforms he took charge of this department of Excise, we expected that in having these proposals considered by the Committee he would give them a proper lead. What are the circumstances under which this Committee was appointed? A resolution was passed in this Council suggesting that the Standing Committee should investigate and report upon the improvement of Excise administration. It was in pursuance of that resolution that the Committee was appointed, and notwithstanding that, when the hon. the Minister chose to place before that Committee a note for their consideration, what did we expect? We expected the Minister to place before them information, enlighten them on broader and more refined lines but not merely to give an extract in other words of the policy of the Government of India of 1905. It will be found that this note placed by the hon. the Minister before the Committee must have really misled them in coming to their conclusions, because in his minute he states conclusions which are practically the conclusions of the Excise Advisory Committee. It is quite likely that they were led by these observations he has made. While dealing with the question of prohibition, he stated in clear terms thus:—

'Such prohibition is undoubtedly an interference with individual liberty. It is often urged that such interference is justifiable on the ground that indulgence in liquor by an individual may become a nuisance to the community. But the question remains whether it is justifiable to interfere with the personal liberty of one man who takes liquor in moderation because another makes himself a nuisance to the public. When we come to the question of practicability, we are on surer ground. No country in the world has attempted to carry complete prohibition into practice. Even in America possession of old stocks is still permissible.'

"And later on, he stated:—

'As to its practicability in India there can be less difficulty in arriving at a decision. It is quite clear that in the most advanced countries the success of prohibition needs the steady pressure of enlightened public opinion.'

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“ And he concluded by saying :

‘ There can be little doubt, whatever view is taken as to its propriety, that prohibition is not a practicable proposition in Madras at present. ’

“ With this note before the Committee what wonder, Sir, this Advisory Committee which sent its report three or four years after it was appointed found that prohibition was impracticable and ought not to be considered at present. Whatever might be the possibilities, I do not think they considered them at all. Coming to local option they have discouraged it. In paragraph 8 of the note, it has been stated that local option has been defined as prohibition in its more logical form. Further on it is said : ‘ Even if this system had proved successful where it has been tried, it is very doubtful whether it could be made a practical success in Madras for the reason that this system needs a large educated electorate which does not yet exist in this Presidency. ’ It concludes thus : ‘ To sum up—The policy I would commend to the Committee is (1) the reduction of consumption by the steady enforcement of enhanced taxation, the immediate objective being a uniform high rate of excise duty, (2) a rigid control over places of sale assisted by enlightened local opinion, and (3) encouragement of temperance effort and its assistance by the enforcement of such indirect measures for checking consumption as commend themselves to the Committee. ’ This was the note placed before the Committee by the hon. the Minister for Excise. I would leave it to the Members of this House to consider whether with such a note prepared by the hon. the Minister and placed before the Committee it was possible for the Committee, composed as it was, to come to a different conclusion. Therefore, I think we have a right to complain not only against the way in which this report has been published without an appendix containing the evidence taken but also with the note the hon. Minister had placed before the Committee for its consideration. There is another aspect of the question which deserves to be considered. It must now be remembered that we are considering the report not upon a motion made for the purpose of expressing confidence or no confidence on the hon. Minister. When in 1925 the same question was raised at the time of the budget discussion it was considered as if it was a political move on the part of the opposition and then the question was discussed only from that standpoint and those of my hon. Friends who are now prepared to subscribe to local option would not then even examine the theory. I have examined the speeches made in March 1925. Thinking it was a political move, only two members of the party, the hon. Member for Chingleput, Mr. A. Ramaswami Mudaliyar and the hon. Member for Madras, Mr. O. Tanikachalam Chettiyar, brushed aside the question of prohibition, no doubt, pointing out at the beginning that it was a political move. Now we have started under better auspices. We are not expressing either confidence or no confidence on the hon. Minister. We are considering the report of the Committee. We have to consider the report and express our deliberate conclusion as to whether we should insist upon the Government on the declaration of a deliberate policy that prohibition should be the ultimate goal to be worked out by definite stages. Judging from the speeches that are made on the other side, I do not think there is much difference of opinion. The hon. the Minister for Excise has not yet spoken and I cannot anticipate his views.

“ But judging from the speeches made by some of the friends on the ministerial side on the question of total prohibition, I think it would be

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carried out without any difference of opinion. Now, the question for consideration is whether you ought to fix a period within which the goal has to be reached. That is a question with regard to which the hon. Minister has been too emphatic. In this connexion, I must express my surprise that the hon. the Minister for Excise has taken his authority to quote from the hon. Member for the University. It is an extraordinary occasion that he should have chosen to take only this lesson from the hon. Member for the University."

Mr. S. SATYAMURTI:—"On a point of personal explanation, Sir, I find the hon. Minister misquoting me. I do not fix the time limit because, if you once fix the time limit, there is a tendency for extending the period. On the other hand if specific steps are immediately taken for total prohibition, you can bring it down in less than ten years. Therefore, the hon. Minister and I part company completely."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Suppose no time limit is fixed and suppose we go on considering this question recording the evidence and so forth. There is no guarantee when any definite action will be taken and in what period of time you will bring it down. If, as suggested by my hon. Friend, Rao Bahadur Natesa Mudaliyar, we do some action with less speech, we shall arrive at definite stages and declare a time-limit within which we have to take the necessary steps. It is therefore absolutely essential that a reasonable time limit should be fixed and the question of twenty years which has been fixed in the amendment of Dr. Natesa Mudaliyar is acceptable to this House. The other important question is the question of finance. That is the crux of the whole problem. Well, every one has expressed a desire that all possible steps should be taken for the purpose of reducing the consumption. But persons feel aghast, when they find that a large item of revenue would be taken out. On a similar occasion the hon. Mr. Legh, while speaking on this question in 1924, put forth a far more sympathetic view than the hon. Minister. He, for one, expressed his whole hearted sympathy, but said 'find out some means for making up the loss of revenue.' That is the only thing he had to do. He expressed pleasure in associating himself with those reformers who suggested that the only thing they had to do was to fix the period. We find that the Committee went into the question. Those who were consulted on this matter applied their minds to this problem and were really interested in suggesting some way out. On page 52 of this report, with regard to finance, most of the members consulted expressed agreement that, if need be, proposals for taxation should be considered. Mr. Muniswami Nayudu says, 'Give the system a trial at least in some areas.' He adds 'if there is a deficit budget, Government must propose taxation and Council must either vote or go back on its policy. If the deficit is caused by reason of this policy, the Council are bound either to support taxation or go back on its policy.' Mr. Ramalinga Chettiyar said that the question did not arise. Mr. Ghouse Mian says 'all want to reduce drink evil. Taxation Committee may devise means for fresh taxation.' Mr. Venkataramana Ayyangar says 'If the Legislative Council once initiate the policy they must vote taxation if necessary.' Mr. Marthandam Pillai agrees that Legislative Council must take financial responsibility for the course adopted. Mr. Veerian suggests taxation of tobacco as a means of revenue. The bidi shops should be taxed. Mr. Abbas Ali is thoroughly opposed to additional taxation. The consensus of opinion was that the Council should take full responsibility for additional

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taxation, if it were found necessary for the purpose of giving full effect to their policy. I think we are all agreed about that. There is no use of expressing our pious wishes that we must have prohibition in a few years without clearing it by a declaration, that if after effecting retrenchment in all possible directions and after having the benefit of contribution, if need should arise, we shall vote for taxation. Unless our policy is accompanied by an expression of the intention that we are prepared to take the financial responsibility, our proposals are not likely to carry us through. While on this question, we must be fairly agreed that we must be prepared to consider taxation. But what do we find in the Committee? Notwithstanding the opinion that the Council should take responsibility for the purpose of carrying out these reforms, they brush aside the question and say 'The financial situation forms an additional reason for a very cautious advance' and leave the whole thing there. They say that some taxes have been suggested and that on account of some difficulty they could not consider that aspect of the question. That was the way in which they had dealt with that question. Then, Sir, there is another aspect of the question which deserves consideration and it is this. Let Government also clearly make up their mind whether they could not give instructions to their officers that steps should be taken to discourage drink in all possible ways and in matters of health propaganda, the drink aspect of the question should be pressed as far as possible. Now, Sir, my memory goes back to the questions and answers sometime ago, when two local boards passed resolutions asking the health inspectors to go on preaching to the people about the evils of drink. These resolutions went up to the Government and on the advice of the Director of Public Health, the resolutions were vetoed by the Government. I cannot imagine anything more surprising than that. When the health officers were advised that they should take steps, speak and inform the people about the evils of drink, to say that they ought not to carry on such a propaganda by an order issued under the directions of the Director of Public Health is a thing which takes away all the effect. When it is admitted by eminent and expert doctors like Dr. Natesa Madaliyar from the medical point of view that persons should not be addicted to the evils of drink, that one should be stopped from preaching against drink is a position which cannot be accepted. In addition to the steps which the Government should take, I think vigorous and effective propaganda should be carried on in this direction. There is work which they must carry on on their own responsibility. At the same time there is much work to be done by the people themselves. People should realise their responsibility and carry on the propaganda in an effective manner if they want to effect temperance reform. Facilities should be given to local bodies, village panchayats, co-operative societies, temperance societies and other non-official agencies to carry on educative propaganda among the masses and organise village communities to prevent illicit distillation of liquor. I think Government ought not to put obstacles in the way I have already pointed out in the Local Self-Government Department. That ought not to be the attitude at all. I think Government should encourage, advise, exhort and help the local bodies and the village panchayats and other societies to carry on propaganda work and steps ought to be taken in that direction and not in any other manner whatever.

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"Then, Sir, the only other point regarding which I wish to state a few words is that we are not enamoured about the new boards proposed. The only feature of these boards which the hon. the Minister and the Committee have placed before us is that we shall have licensing boards with larger non-official majorities. I think, Sir, no one is enamoured with the committees if you had not declared your policy and told definitely that you were going to eliminate drink in a particular period. You may talk of hundreds of committees. But so long as your policy in the matter is not such as would definitely lead to total prohibition, what is the use of all these committees, whether official or non-official? Even in the composition, there is scope for these nominated members who can so often override the opposition of other members and thus minimise the importance of the resolutions. I, for one, would not advocate the formation of committees before the declaration of the policy. I appreciate, Sir, that there is some change for the better. But I do not appreciate the changes in the constitution. These things must follow the declaration of policy. Unless there is a declaration of policy which is supplemented by the work of the non-official agencies, I do not think much could be expected from these committees, nor with the change that is proposed in the constitution of these committees. Then the other directions in which change may be effected have been indicated by me in sub-clauses (3), (4) and (5).

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"I am sorry that the division of the House so far as this motion is concerned is against me. I do not know if the same thing could be brought about again; but one thing is quite clear that the Government are agreed at least as to the decrease in the number of shops though there might not be any difference in consumption. That is to say, notwithstanding the decrease in the number of shops, there was actually an increase in the total consumption. I would therefore request the hon. the Minister to consider whether, if effective steps are taken, it would not be possible to reduce the number of trees gradually so as to work out total prohibition at the end. The only result is that even if you increase the number of shops you would be able to achieve the object in view. Therefore, if you really wish to effect a reform in this direction, it will be necessary for the hon. the Minister to see whether a reduction could not be made by increasing the tree-tax.

"I do not want to take up much time of the House on the question of local option. There is a separate resolution by my hon. Friend Mr. Natesa Mudaliyar and I hope many of us would speak on that motion. I am only surprised that we should be in the same position regarding that question of local option as we were at the time of the Excise Advisory Committee's Report in 1906. If we analyse that report, the recommendations of that report were very sympathetic and they considered the difficulties in a more generous manner than the hon. the Minister. They too thought that local option was not practicable. In those days, when the franchise was not so extensive, if it was possible to introduce local option gradually, shall we be, in spite of the admitted increase in the franchise, justified in saying that it would be impracticable? Even the authority relied upon by them did not support that view. But so far as one authority quoted was concerned, not only did he not express any doubts on that question but also he expressed himself in favour of local option. Almost every other witness relied upon was in favour of local option being given a trial. Therefore, viewed from

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whatever standpoint, this report is very unsatisfactory. I would therefore ask the hon. the Minister to consider this, not as a question of merely justifying his past policy or past action but as a question of future reforms that have to be effected to achieve our object. Let him not view it from the standpoint of what has been done in the past but from the standpoint of what should be done in the future so as to give effect to the wishes of the House. I know we are all capable of advancing arguments in support of any position. But really five or six years after this department has been handed over to the charge of a Minister, the Minister himself will see that it is not right to say that he has not been able to do anything.

"I would, therefore, suggest that this report should not be accepted and that more effective measures to bring prohibition might be adopted. The resolution fixing ten years was lost and I am glad that at least the resolution suggesting twenty years was passed. Let us therefore all agree that this scheme should be given effect to so as to achieve our object. With these remarks, I shall close my speech."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I do not move the first or the second part of my amendment but I shall move the third part of it. My amendment is that—

Between the words 'the' and 'non-official' insert the word 'elected'

"I feel highly flattered by the references that my hon. Friend Mr. Krishna Rao has made of me in his speech. I am glad also to see that the resolution agrees with most of the recommendations I made. In my minute of dissent in paragraph 11 I have said—

'There should be no nomination, but all members should be chosen by election though in some exceptional cases nomination may, if necessary, be made out of a panel of three or four members elected from the respective bodies.'

"Here, Sir, the resolution of Mr. Krishna Rao is much more moderate than my recommendation. He simply says that the number of non-officials be increased and the number of officials be reduced. All that I say is that the number of elected non-officials should be increased. I hope nobody will quarrel with that position."

Mr. R. Srinivasa Ayyangar seconded the amendment.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I have no objection."

The amendment of Mr. C. V. Venkataramana Ayyangar was put to the House and carried.

Mr. C. RAMALINGA REDDI :—"May I make a submission, Sir? Seeing that we have only about six to seven minutes more, may we not take up the next amendment to-morrow?"

* Mr. R. VEERIAN :—"Sir, we have only about six minutes more and my speech on this very important matter may take from 12 to 15 minutes. I submit I should not be deprived of the opportunity of expressing myself in an impressive or feeling manner especially as the subject is so very important."

* The hon. the PRESIDENT :—"The hon. Member is very impressive at any moment and therefore I call upon him to speak on his resolution."

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* Mr. R. VEERIAN :—“ Sir, the resolution that was moved by me was this :

‘ That this Council recommends to the Government that it be a direction to the Excise Licensing Board that may be constituted that no shops for selling toddy, arrack or beer should be located in or near the cheris or other localities inhabited by the members of the depressed classes.’

“ I wish, first of all, to assure this hon. House that this is a very modest proposition. Sir, I am always very modest in my propositions. It is not my ambition to bring impracticable propositions and this is a practicable one brought before this House with a view to remove the arrack and toddy shops from the locality inhabited by the members of the depressed classes. In any locality, it would be a great inconvenience for the other classes of people but what I want to point out is that by having these shops in the midst of localities inhabited by the depressed classes there is very much more cause for danger in several aspects. There is a vast difference between drinkers and drunkards and it is always preferable to keep this toddy and arrack shops out of the sight of those people who are addicted to drinking. Sir, the position is, after all, like this and I feel confident that the hon. Members of this House will be very much impressed if I quote that Tamil proverb which is this :—

நண்டைச்சுட்டு நரியைக்காவல்வைத்தமாதிரியாக மதுபானக்கடைகளை எல்லாம் தாழ்த்தவர் இருக்கும் தெருக்களில் வைக்கப்பட்டு இருக்கிறது.

“ That is to say, we keep a fried fish in the custody of a jackal and ask it to guard it. That is the actual position. There are so many temptations in this world and it is not at all possible to overcome this temptation, Sir. With regard to this question of temptation, I said on another occasion that even such a great sage as Visvamitra was not able to control temptation. Then again there was the great Sugriva, the brother of that valiant Vali, who on account of this temptation was not able to fulfil his promise to Sri Rama when he wanted to accompany him to Lanka in order to fight with that Rakshasa King, Ravana, with a view to bring out the divine mother Sita from the custody of that demon. It was in view of the evils of drink that he was not able to discharge his promise. So, Sir, all the work of these social workers will not be of any avail as long as these shops are going to be located in that locality. What is the use of merely saying that you must educate the people against the practice of drinking as long as you continue to instal these shops in their midst? So the social worker's endeavours in this direction become fruitless. I may say safely that the money derived from this evil should not be spent on any noble purpose and I am sure it will bring ruination in the country in the long run. I may point out that as long as these arrack shops are continued to be located in these places, there would be disturbances and these disturbances always end in litigation and bring danger to lives also. We are the representatives of the people and we have come here to do our best for the people without looking for any material prosperity and, in fact, we are the custodians of the people's welfare and we are entrusted with the duty of safeguarding their interests without looking for any personal aggrandisement. At least in Doomsday, we will be questioned for our action. Sir, it is possible to wake up a man who is sleeping, but it is not at all possible to wake up a person who is simply lying down on his bed and shutting his eyes and who is not really

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sleeping. Therefore there is no use of simply raising all kinds of objections to my proposition even on realising all the advantages that may come out of this proposition when carried unanimously.

"Now, Sir, according to your direction, I have finished what I have to say within the time allotted, without even taking 15 minutes that I originally intended to take. There is no use of making a long speech without producing any effect. I always hold that generally long speeches are not always appreciated or admired and I, therefore, curtailed my speech. I hope that this resolution will have the support of all Members of this House. I hope also that the hon. the Minister in charge will not simply say that it will receive his due consideration. I trust in conclusion that he will not hesitate in any manner after hearing so much from me to accept this resolution."

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ Mr. President, I formally 5 p.m.
move: For the word ‘near’ substitute the words ‘within two furlongs from’, and add at the end the following: ‘or factories.’ Sir, I had a talk with Mr. Veerian on the subject. His eloquent speech has been thrilling us all. Mine is a very modest amendment and probably, Mr. Veerian is not satisfied with my mentioning only two furlongs. I just mentioned the distance as two furlongs, because I know of an instance where on account of the location of a toddy shop in the vicinity of Adi-Dravida quarters, these poor people had relapsing fever. It is believed that this contagious disease was brought to them by means of the toddy shop. Therefore, the toddy should be kept away from their quarters. My experience, as illustrated by the answers given in this House, is that, whenever we say that these shops should not be opened in or near the roads or the markets, we are always told ‘Oh, yes, these shops are located outside the markets or in the case of roads just on the borders of the roads.’ Therefore, unless we fix some minimum distance there is no use in carrying out this motion. If the ryots want these shops, let us not locate them near the depressed classes quarters and give them the opportunity to drink. Mr. Veerian has spoken from his heart. He knows the sufferings of his people and therefore we should give due weight to his feelings.

“My second amendment is that there should be no toddy shop in the vicinity of factories, because depressed classes are working in the factories. By merely restricting the location of shops in the manner desired by Mr. Veerian, his object cannot be achieved. Because, many members of the depressed and backward classes are working in the factories and if toddy shops are allowed to be located near them, they will have the temptation at their door. I know from my own knowledge that toddy and arrack shops are kept quite close to the factories so that the factory labourers, when they receive their pay, just walk into these shops, empty their pockets and leave their poor women and children to suffer. It is therefore absolutely necessary that the words ‘or factories’ should be added at the end. I have no doubt whatever that Mr. Veerian will accept my amendments though he may feel that two furlongs are not quite enough.”

Mr. A. CHIDAMBARA NADAR :—“ I second it. ”

* The hon. Rao Bahadur Sir A. P. PATRO :—“ Sir, it is a matter of detail which may be considered in the scheme that will be prepared ultimately and not at this stage. I cannot accept the amendment proposed. ”

The amendment was put and carried.

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VII.--ALLOTMENT OF DAYS FOR NON-OFFICIAL AND OFFICIAL
BUSINESS—*cont.*

* The hon. the PRESIDENT :—“ Now, Mr. Ramalinga Reddi may put the question he wanted to put to the hon. Sir C. P. Ramaswami Ayyar. ”

Mr. C. RAMALINGA REDDI :—“ I wish to ask about the course of business of this House. We were all under the impression that as many days as are required for the consideration of the Malabar Tenancy Bill would be given to us, but now we are told that only three days have been provisionally fixed for the transaction of non-official business. I take it that the words ‘ provisionally fixed ’ must be considered to be the undertaking given at the last sitting by my hon. Friend the Leader of the House.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ I think the hon. Member who spoke last has interpreted the meaning correctly. If the Malabar Tenancy Bill continues, His Excellency will be requested to allot more days ”

* Mr. S. SATYAMURTI :—“ With regard to the official business, may I ask the hon. the Leader of the House to be good enough to say how much of it is going to be placed before the House and how much time of the House is going to be engaged with official business ? ”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ There is official business for two days and it will be placed before the House during this meeting.”

The House adjourned to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX I

[Vide answer to question No. 1208 asked by Mr. C. V. Venkataramana Ayyangar at the meeting of the Legislative Council held on the 8th February 1926, page 11 supra.]

Insolvency petitions filed and disposed of in the Coimbatore district.

Year.		Petitions filed.	Disposed of.
1920	208	114
1921	270	149
1922	296	164
1923	376	249
1924	387	181

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APPENDIX II.

[Vide answer to question No. 1214 asked by Sriman Biswanath Das Mahasayo at the meeting of the Legislative Council held on the 8th February 1926, page 15 supra.]

List of Police Officers, both Gazetted and subordinate, that were given rewards, promotions or medals for good services in the Agency Fituri.

REWARDS.

			RS.	A.	P.
(i)	For the arrest of rebel Bonalu Gunnayya at Madanpalam—				
	Havildar No. 1697 of Malabar Special Police	...	4	0	0
	Naik No. 1808 of Malabar Special Police	... ..	4	0	0
	Police Constable No. 1888 of Malabar Special Police.		3	8	0
	Do. No. 1766	do.	3	8	0
	Do. No. 1454	do.	3	8	0
	Do. No. 1815	do.	3	8	0
	Do. No. 1672	do.	3	8	0
	Do. No. 1387	do.	3	8	0
	Do. No. 1477	do.	3	8	0
	Do. No. 1759	do.	3	8	0
	Do. No. 1562	do.	3	8	0
	Do. No. 1730	do.	3	8	0
	Do. No. 1754	do.	3	8	0
(ii)	For the arrest of rebel Punyamanthula Venkata-swami—				
	Police Constable No. 1585 Y. Ch. Venkanna of Godavari district	... ..	33	0	0
	Police Constable No. 1880 (name not known)	...	17	0	0
(iii)	For the arrest of Mallayya Dora—				
	Malabar Special Police—				
	Jamadar Narayana Kurup	... ..	90	0	0
	Havildar No. 1567 Kanaran Nayar	... ..	15	0	0
	Police Constable No. 1600 Raman	... ..	15	0	0
	Do. No. 1632 Chattukutti Nayar	... ..	75	0	0
	Do. No. 1467 Govinda Nayar	... ..	60	0	0
	Do. No. 1568 Atechuthan	... ..	60	0	0
	Do. No. 1381 Rairukutti Nayar	... ..	15	0	0
	Do. No. 1383 Sankaran Nayar	... ..	15	0	0
	Do. No. 1398 Madhava Menon	... ..	15	0	0
	Do. No. 1802 Kunhi Krishnan Nayar.	...	15	0	0
	Do. No. 1572 Velumuni	... ..	15	0	0
	Do. No. 1453 Govindan Nayar	... ..	15	0	0
	Do. No. 1668 Raman Nayar	.. ..	15	0	0
	Do. No. 1759 Narayana Panikkar	... ..	15	0	0
	Do. No. 1714 Thomas	... ..	15	0	0
	Do. No. 1553 Kalappa Nayar	15	0	0
	Do. No. 1774 Kannan Nayar	15	0	0
	Do. No. 1623 Narayanan	15	0	0

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Malabar Special Police—cont.

				RS.	A.	P.
Police Constable No. 1443	Appu Nayar	15	0	0
Do.	No. 1533 Perachan	...	...	15	0	0
Do.	No. 1648 Krishnan Nayar	...	...	15	0	0
Do.	No. 1853 Velu Kutti	...	...	15	0	0
Do.	No. 1620 Kunhappa Nambiyar	...	...	15	0	0

Intelligence staff—

Acting Inspector B. Radhakrishna of Jeypore	...	105	0	0
Sub-Inspector No. 937 C. Narasimha Mudaliyar of Cuddapah	...	30	0	0
Head Constable No. 1 T. Narayanaswami of Vizagapatam district	...	7	8	0
Police Constable No. 136 B. Appalaswami, Vizagapatam district	...	7	8	0
Police Constable No. 965 P. Rajanna, Vizagapatam district	...	7	8	0
Police Constable No. 177 P. Varahalu, Vizagapatam district	...	7	8	0
Police Constable No. 1066 D. Reddi Pantulu of Agency division	...	7	8	0
Police Constable No. 613 S. Gantayya of Agency division	...	7	8	0

(iv) For the arrest of Alluri Sriramarazu—

Jamadar (East Coast Special Police) Kunchu Menon	...	1,200	0	0
Sub-Inspector Alwar Nayudu of Chittoor district	...	1,200	0	0
Naik East Coast Special Police Choyikutti	...	500	0	0
Police Constable No. 139 (East Coast Special Police) Kunhi Panikkar	...	390	0	0
Police Constable No. 150 (East Coast Special Police) Appa Kurup	...	390	0	0
Police Constable No. 181 (East Coast Special Police) Gopalan	...	390	0	0
Police Constable No. 193 (East Coast Special Police) Kanyappa Nambiyar	...	390	0	0
Police Constable No. 150 (East Coast Special Police) Kunhi Raman	...	390	0	0
Police Constable No. 168 (East Coast Special Police) Atchuthan Pillai	...	390	0	0
Police Constable No. 215 (East Coast Special Police) Krishnan Pillai	...	390	0	0
Police Constable No. 216 (East Coast Special Police) Rayuru Kurup	...	390	0	0
Police Constable No. 160 (East Coast Special Police) Anandan Nayar	...	390	0	0
Police Constable No. 178 (East Coast Special Police) Madhavan Nayar	...	390	0	0
Police Constable No. 115 (East Coast Special Police) Theyuni Nayar	...	390	0	0
Police Constable No. 437 Mahadevagiri of Chittoor district	...	390	0	0
Inspector Upendra Patnaik of Ganjam district	...	500	0	0

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(iv) For the arrest of Alluri Srimamarazu *cont.*

	RS.	A.	P.
Havildar No. 1983 (Malabar Special Police) A. Chap-puni Nayar	250	0	0
Lance Naik No. 1996 (Malabar Special Police) K. P. Damodaran Nayar	100	0	0
Lance Naik No. 2047 (Malabar Special Police) Korappan	100	0	0
Lance Naik No. 1923 (Malabar Special Police) Chathu. Police Constable No. 1652 (Malabar Special Police) Pappu Pillai	100	0	0
Police Constable No. 1760 (Malabar Special Police) Nanu Nayar	100	0	0
Police Constable No. 2021 (Malabar Special Police) Achuthan Nayar	100	0	0
Police Constable No. 2012 (Malabar Special Police) Krishnan Nayar	100	0	0
Police Constable No. 2062 (Malabar Special Police) Narayana Kurup	100	0	0
Police Constable No. 2039 (Malabar Special Police) Atchuthan Nayar	100	0	0
Police Constable No. 2076 (Malabar Special Police) Kumaran Nayar	100	0	0
Police Constable No. 2082 (Malabar Special Police) Atchuthan Nayar	100	0	0
Police Constable No. 2064 (Malabar Special Police) Kunhi Ambu Nayar	100	0	0
Police Constable No. 1057 C. A. Ramanna of Razavom-mangi station	85	0	0
Police Constable No. 578 K. Ramachandradu of Vizaga-patam district	85	0	0

(v) For the arrest of rebel Muttadam Veerayya Dora—

Police Constable No. 1494 M. Radhakrishna Naiko ...	10	0	0
Do. No. 824 B. Ramaswami	10	0	0
Do. No. 341 S. Venkataswami	3	0	0
Do. No. 264 G. Narayanaswami	3	0	0
Do. No. 615 M. Venkataswami	3	0	0
Do. No. 997 J. Kunchiah	3	0	0
Do. No. 904 D. Chinniah	3	0	0
Do. No. 603 N. Kanniah	3	0	0
Do. No. 461 M. Suryanarayana	3	0	0
Do. No. 648 S. Nookalu	3	0	0
Do. No. 578 P. Appalaswami	3	0	0
Do. No. 310 J. Pentiah	3	0	0

For the capture of rebel Gam Gantam Dora—

(1) Jamadar Ponnuswami, E.C.S.P.	540	0	0
(2) No. 224 Havildar Ramaswami Nayudu	270	0	0
(3) No. 225 Police Constable Subba Raju	130	0	0
(4) No. 226 do. Chinnayya	130	0	0
(5) No. 230 do. Rangaswami	130	0	0
(6) No. 231 do. Rangaswami Pillai	130	0	0
(7) No. 237 do. Sadagopal	130	0	0

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For the capture of rebel Gam Gantam Dora— <i>cont.</i>				RS.	A.	P.
(8) No 257	Police Constable	Poonkavanam	...	130	0	0
(9) No 259	do.	Govindarajulu	...	130	0	0
(10) No. 270	do.	Murugesan	...	130	0	0
(11) No. 267	do.	Doraiswami	...	130	0	0
(12) No. 275	do.	Ratnam	...	130	0	0
(13) No. 278	do.	Madhurai	...	130	0	0
(14) No. 273	do.	Chinnappan	...	130	0	0
(15) No. 287	do.	Sadagopal Nayudu	...	130	0	0
Total				2,500	0	0

(vi) Sub-Inspector B. Radhakrishna of Jeypore district, Rs. 250, for working very strenuously and obtaining much useful information especially that leading to the arrest of Gam Mallayya Dora while employed as Intelligence Officer on the Agency Operations from 23rd June 1923 to 3rd October 1924.

(vii) The following Sub-Inspectors and head constable were granted good service entries.

They were engaged in intelligence work during the period specified against their names. Their work was consistently good and performed cheerfully in spite of constant attacks of fever:—

District.	Name.	Period.
Guntur ...	Simon Peter, Sub-Inspector.	8th October 1922 to 26th June 1924.
Kurnool ...	K. Mahanadi do.	14th February 1923 to 26th June 1924.
Chittoor ...	P. Chengalvaraya Reddi, Sub-Inspector.	7th October 1923 to 26th June 1924.
Vizaga-patam.	P. Muttayyan, Sub-Inspector.	13th September 1922 to 26th June 1924.
Ganjam ...	M. M. Panigrahi, Sub-Inspector.	4th October 1922 to 26th June 1924.
Chingleput.	Kuppuswami Raju, Head Constable.	24th September 1922 to 17th November 1924.

PROMOTIONS.

The following Police Officers were promoted for services noted against each:—

M.R.Ry. P. Kanakarazu Pantulu Garu was promoted to act as Deputy Superintendent of Police for valuable services as Chief Intelligence Officer.

Sriman Upendro Patnaik was promoted to be Inspector, third class, on probation, for conspicuously good work as an Intelligence Officer on the Agency Operations, 1922-24.

He joined the operations in October 1922 and on reorganization of the Intelligence staff was made an acting Inspector and given charge of an area, in which appointment he showed great zeal and energy.

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In the first week of May 1924 when moving with an escort of twelve men of the Malabar Special Police under a Non-Commissioned Officer, he got on the track of the main body of the rebels and searched for them for two days and nights without food or sleep. Eventually on 6th May 1924 he came up with the rebels, attacked them and captured the sub-leader, the Aggirazu, with his own hands. The gang scattered in disorder and the leader of the rebels, Sriramarazu, who had been present at the engagement, became separated from his men and was captured on 7th May as a result of the previous action. The arrest of the leader led to the virtual collapse of the fituri.

M.R.Ry. T V. Alwar Nayudu, Sub-Inspector, Chittoor district, was promoted to be Inspector, third class, on probation, for good work in the Agency Operations from 10th October 1923 to 26th June 1924. He was in charge of the patrol party which captured Alluri Sriramarazu, the leader of the rebellion, on the 7th May 1924.

M.R.Ry. V Narayana Ayyar, Sub-Inspector, Chingleput district, was promoted to be Inspector, third class, on probation, for consistently good and willing work in the Agency Operations from 11th November 1922 to 13th August 1924, first as a despatch rider and afterwards in charge of motor transport.

M.R.Ry. K. T Kunchu Menon, Jamadar, East Coast Special Police, was promoted to Probationary third-class Inspector as he commanded the detachment of the East Coast Special Police which captured the leader of the rebels, Sriramarazu.

KING'S POLICE MEDALS.

The following Police Officers were granted medals for their good work noted against each —

1. *Christopher William Scott Coward (deceased), Assistant Superintendent of Police.*—Mr. Scott Coward was an experienced Agency Police Officer. He was put on special duty in the operations against the fituridars. Early in those operations he succeeded in arresting an important fituridar, Virayya Dhora, ex-muttadar of Gudem, a man who had been deported from the Agency and who had been released from police custody by the fituridars at Rajavommangi where he had been taken for trial for returning to the Agency without permission. This arrest was effected by a series of very difficult marches lasting over three days and covering nearly 80 miles of hill country.

Subsequently Mr. Scott Coward worked indefatigably in pursuing the gang and obtaining intelligence. He showed marvellous powers of endurance. He was killed on September 24 in an ambush.

Mr. Scott Coward was a fine leader of men and gained the confidence and affection of the men under his command. He was regardless of his personal comfort or danger and entirely devoted to his duty.

2. *Alexander John Happell, Superintendent of Police.*—This officer was put in command of the operations against the rebels in the Agency tracts in October 1922. He was in command of a large force consisting of 400 of the Malabar Special Police and a large number of armed reserves with other details. He was responsible for the whole organization of the forces, for the collection of intelligence and the plan of the operations. As a result of the operations which he conducted, the rebels were twice defeated on

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the 6th December 1922, losing several killed and wounded, and were deprived of the most formidable part of their armament. Mr. Happell, in carrying out the arduous and responsible duties of his command, showed great organizing ability and aptitude for command, cool judgment and a cheerful perseverance against the many difficulties which confronted him.

3. *Cyril Edward Sweney, Superintendent of Police.*—This officer was put on special duty in the Agency rebellion. He was in command of a party of Malabar Special Police and was particularly entrusted with the collection of information owing to his exceptional local knowledge. He worked indefatigably and as a result of operations in which he took a leading part, the rebels were brought to action and put to flight during the day of the 6th December 1922. In the evening of that day he was entrusted with the duty of pursuing the rebels with a party of Malabar Special Police. He came up with them about midnight and fought an action with them by moonlight in a rocky ravine in the jungle. The rebels fled after suffering several casualties in killed and wounded and lost an important part of their armament. In the pursuit through the jungle and the difficult action which followed, he showed great determination, resource and courage.

This officer was awarded the King's Police Medal on the 1st January 1917 and is now awarded a bar to that medal.

4. *William Rees John, Assistant Superintendent of Police.*—This officer was on special duty in the Agency rebellion and was in command of a company of Malabar Special Police. He did excellent work throughout the operations, and, in particular, on the 6th December 1922 when he came up with the rebel gang and fought an action with them. The rebels, after offering determined resistance, fled in disorder losing several killed and wounded. Mr. John commanded in this action with great coolness and a complete disregard for danger.

5. *Hugh Keene, Assistant Superintendent of Police.*—This officer was taken for duty in the Agency rebellion from its commencement and served in the operations for some seven months. During this period he exhibited great physical endurance having to perform constant, arduous and forced marches under trying conditions of climate and country. Throughout this period he was always ready to respond to any call with cheerful alacrity. He took part in the night action fought on the 6th December 1922 under Mr. Sweney's command, in which he behaved with conspicuous gallantry.

6. *Claude Robert Charsley, Assistant Superintendent of Police.*—This officer joined the Malabar Special Police in November 1921 and was in charge of a company throughout the rebellion. On more than one occasion he displayed exceptional bravery. His pursuit for 16 days over difficult country and under trying climatic conditions of a gang who committed murder at Vilayil in Ernad taluk in 1922 was a model of perseverance, and its success removed one of the last obstacles to peace in the Ernad taluk.

He was also employed in command of a company of the Malabar Special Police in the operations against the rebels in the Agency from November 1922, during which time he did excellent service, and took a conspicuous part in the action with the rebels on the 6th December 1922.

7. *Edward Hilder Colebrook, Assistant Superintendent of Police.*—This officer joined the Malabar Special Police from its inception in October 1921. Towards the end of November 1921, he conducted a successful action against

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picked troops from the notorious Variankunnath Kunhamath Haji's band in the course of which he was wounded. Immediately on his recovery he rejoined his company and displayed equal gallantry in the most trying phase of the rebellion. He was subsequently in charge of the operations in the whole of Calicut taluk.

He was also on special duty in command of a company of Malabar Special Police in the operations against the rebels in the Agency from October 1922, during which time he rendered good service.

8. *Frank William Goodsell, Sergeant, Madras Police.*—This officer was on special duty in the Agency rebellion operations and did excellent work throughout the period. In particular he distinguished himself during the night action with the rebels on the 6th December 1922 in which he showed conspicuous courage.

9. *Muchakkal Gopalan Nayar, Constable, Malabar Special Police.*—This constable is a Lewis Gunner in the Malabar Special Police. He showed conspicuous devotion to duty and bravery on the occasion of the action with the rebels in the Agency during the day of the 6th December 1922. Although suffering from malarial fever and having a high temperature he insisted upon going out with the force and ran for a distance of over a mile carrying his Lewis Gun to bring it into action, which he did with considerable effect.

10. *Karumathil Krishna Panikkar, Subadar, Malabar Special Police.*—This officer was employed with the Malabar Special Police in the operations against the rebels in the Agency. He did exceptionally good work and was selected to command a special mobile party. He was prominent in the night action against the rebels, fought on 6th December 1922, and showed much resource and courage.

He was awarded the King's Police Medal on the 1st January 1923, and is now awarded a bar to that medal.

11. *Abdur Gaffur, Jamadar, East Coast Special Police.*—This officer has done excellent work throughout the Agency operations and distinguished himself particularly when the rebels attacked the police post at Gudem (of which he was in command) on the night of October 26th, 1923. The rebels attacked in strength and a nasty situation was saved by the excellence of the jamadar's dispositions and the spirit with which he led a counter-attack.

12. *Robert Hume, Assistant Superintendent of Police.*—This officer was on duty in the Agency for over a year. He never spared himself and the successful actions against the rebels at Pedda Darakonda on November 1st, 1923, and again four days later at Kondalayyagondi were due to his energy and zeal.

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APPENDIX III.

[Vide answer to question No. 1217 asked by the Raja of Ramnad at the meeting of the Legislative Council held on the 8th February 1926, page 16 supra.]

Government Servants' Conduct Rules.

Appendix A—Subsidiary Local Rules.

* * * *

4. Acceptance by Government officers of employment in a Government office or department other than that to which they are attached :—

It is the duty of a Government officer who wishes to transfer his services to an office or department other than in which he is serving, to obtain the consent of the authority which appoints to his existing post prior to taking up such new employment. If he takes up new employment without such consent, he commits a breach of discipline and is liable to be punished, in the last resource, by dismissal from his former post and consequent loss of pensionable service.

The application of a Government servant on one establishment for employment on another should be submitted through the head of the establishment to which the applicant is attached. In the case of a Government servant who applies for an appointment in a Native State the application should be submitted also through the head of his department and the Local Government.

These instructions apply equally to Government officers on leave, whether with or without allowances.

* * * *

15. *Private trade or employment.*—A Government servant may not, without the previous sanction of the Local Government, engage in any trade or undertake any employment, other than his public duties.

APPENDIX IV.

[Vide answer to question No. 1225 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 8th February 1926, page 28 supra.]

Tours made by the hon. the Raja of Panagal, Minister for Local Self-Government, from April to October 1925.

		Cost.	
	I	RS.	A. P.
1925			
April 4 to 9	... Madras to Trichinopoly and back,	722	9 0

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Tours made by the hon. the Raja of Panagal, Minister for Local Self-Government, from April to October 1925—cont.

1925		II	Cost.		
			RS.	A.	P.
May 30 to June 11.	Madras, Kalahasti, Tenali, Bez- wada, Gudivada, Masuli- patam, Bezwada, Ellore, Vizagapatam, Madras and Ootacamund.		2,440	4	0

		III			
June 22 to 28 ...	Ootacamund, Mysore, Banga- lore, Madanapalle and Ootaca- mund.		341	4	0

		IV			
August 21 to 24 ...	Madras to Tanjore and back ...		772	8	0

		V			
September 8 ...	Madras to Podanur and back ...		563	8	0

Tours made by the hon. Sir A. P. Patro, Kt., Minister for Education and Public Works Department to the Government of Madras, from April to October 1925.

1925		I	Cost.		
			RS.	A.	P.
April 4 to 9 ..	Madras, Tinnevely, Tindi- vanam and Madras.		...	...	...

		II			
April 10 to 17 ...	Madras, Berhampur, Aska, Vizianagram, Vizagapatam and Madras.			

Total for the two tours ...	1,101	9	0
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		III			
August 21 to 24 ...	Madras to Tanjore and back ...		(Railway requisition awaited by the Accountant-General.)		

		IV			
September 2 to 9 ...	Madras, Kurnool, Nandyal, Cumbum, Cuddapah and Madras.		1,343	8	0

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Tours made by the hon. Sir A. P. Patro, Kt., Minister for Education and Public Works Department to the Government of Madras, from April to October 1925.

		Cost.		
		RS.	A.	P.
1925	V			
September 22 to 26...	Madras to Bangalore and back.	667	8	0

VI

October 15 to 25 ...	Madras, Mangalore, Mudibidri, Karkal, Udipi, Tellicherry, Calicut, Olavakot, Palghat and Madras.	60	0	0
		(Railway requisition awaited by the Accountant-General.)		

Tours made by the hon. Diwan Bahadur T. N. Siragnanam Pillai Avargal, Minister for Development, from April to October 1925.

		Cost		
		RS.	A.	P.
1925	I			
April 5 to 14 ..	Madras, Kovilpatti, Tiruchendur, Tinnevely Trichinopoly and Ootacamund.	...		

II

April 18 to 21 ...	Ootacamund to Coimbatore and back.	...		
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Total for the two tours ...	772	3	0
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III

June 4 to 8 ..	Ootacamund to Cuddalore New Town and back.	(Railway requisitions awaited by the Accountant-General.)		
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IV

June 14 to 28 ...	Ootacamund, Madras, Berhampur, Waltair, Anakapalle, Samalkot, Madras, Coimbatore and Ootacamund	2,361	7	0
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V

July 2 to 10 ...	Ootacamund, Tinnevely, Pamban, Rameswaram and Madras.	203	8	0
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VI

July 13 to 21 ...	Madras, Coimbatore, Tali-paramba Road, Metur, Erode and Madras,	774	7	0
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*Tours made by the hon. Diwan Bahadur T. N. Sivagnanam Pillai Avargal,
Minister for Development, from April to October 1925—cont.*

		Cost.		
1925	VII	RS.	A.	P.
August 21 to September 8.	Madras, Tinnevely, Tuticorin, Kovilpatti, Thulukapatti, Ottathur, Trichinopoly and Madras.	1,330	6	0
		VIII		
September 18 to 21.	Madras, Bellary, Kamalapur, Hosspot, Adoni and Madras.	812	4	0
		IX		
October 2 to 7	... Madras, Kurnool, Sunkesula, Nandyal, Gazulapalli and Madras.	(Railway requisitions awaited by the Accountant-General.)		

APPENDIX V.

[Vide answer to question No. 1233 asked by Mr. D. Manjayya Heggade at the meeting of the Legislative Council held on the 8th February 1926, page 36 supra.]

List of nominated members of the South Kanara District Board.

	Names.	Community.
1.	M.R.Ry. Rao Bahadur N. Subba Rao Avargal (President).	Saraswath Brahman.
2.	„ M. P. Krishnan Avargal	Fisherman.
3.	Muhammad Schammad Sahib Bahadur	Muhammadan.
4.	M.R.Ry. N. N. Suvarna Avargal	Billavar.
5.	„ Rai Sahib B. Mahabala Hegde Avargal.	Bunt.
6.	„ Attawar Somappa Avargal	Oil-monger.
7.	„ T. C. Ramavarma Raja Avargal	Kshatriya.
8.	„ K. Angara Avargal	Adi-Dravida.
9.	„ Rai Sahib E. C. M. Mascarenhas Avargal.	Roman Catholic.
10.	„ Alfonso Joseph Lobo Avargal	Do.

[8th February 1926]

APPENDIX VI.

[Vide answer to question No. 1236 asked by Mr. R. Srinivasa Ayyangar at the meeting of the Legislative Council held on the 8th February 1926, page 39 *supra*.]

(1)

1924-25.

Serial number and name of municipality.	Number of wards.	Number of elective seats sanctioned.	Serial number and name of municipality.	Number of wards	Number of elective seats sanctioned.
1. Anantapur	4	12	41. Bezwada	10	21
2. Hindupur	5	12	42. Ellore	10	21
3. Tadpatri	6	12	43. Masulipatam	12	21
4. Gudiyattam	8	15	44. Palacole	6	12
5. Tirupattur	4	12	45. Kurnool	6	16
6. Tiruvannamalai	8	15	46. Nandyal	4	12
7. Vaniyambadi	4	15	47. Bodinaya kanur	6	15
8. Vellore	7	21	48. Dindigul	6	18
9. Wallajpet	4	12	49. Kodaikanal	7	12
10. Chidambaram	6	15	50. Madura	18	27
11. Cuddalore	7	24	51. Palni	3	12
12. Villupuram	6	12	52. Periyakulam	3	12
13. Adoni	4	18	53. Onjout	24	24
14. Bellary	9	21	54. Cannanore	6	15
15. Hospet	6	12	55. Cochin	4	15
16. Chingleput	4	12	56. Palghat	10	21
17. Conjeevaram	16	24	57. Tellicherry	4	15
18. Saidupe	14	15	58. Nellore	18	18
19. Chittoor	9	12	59. Coonoor	6	12
20. Tirupati	6	12	60. Ootacamund	7	12
21. Coimbatore	24	24	61. Sivakasi	9	12
22. Dharapuram	6	12	62. Srivilliputtur	6	15
23. Erode	5	15	63. Virudunagar	6	15
24. Pollachi	7	12	64. Salem	18	24
25. Tiruppur	4	12	65. Kumbakonam	24	24
26. Udumalpet	4	12	66. Mannargudi	8	15
27. Cuddapah	8	12	67. Mayavaram	15	15
28. Proddatur	6	12	68. Negapatam	24	24
29. Berhampur	9	18	69. Tanjore	14	24
30. Chittoor	4	12	70. Tiruvalur	8	12
31. Parlakimedi	12	12	71. Palamcottah	6	21
32. Coimbatore	24	24	72. Tinnevely	11	24
33. Peddapuram	4	12	73. Tuticorin	8	21
34. Rajahmundry	11	24	74. Srirangam	9	15
35. Chirala	12	12	75. Karur	4	12
36. Guntur	21	21	76. Trichinopoly	18	27
37. Narasaraopet	4	12	77. Anakapalle	5	15
38. Ongole	6	12	78. Bimlipatam	2	12
39. Tenali	12	12	79. Vizagapatam	9	21
40. Mangalore	9	21	80. Visianagaram	9	18

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(2)

G.O. No. 1040 M., dated 12th July 1915.

The attention of the Government has been drawn to the very serious inequalities which result from the present divisions of municipalities into wards and the distribution of elective seats amongst them. Local peculiarities and local circumstances have to receive consideration, and it is probably impracticable to lay down any set of general principles which could be strictly applied to every town in the Presidency. The Governor in Council believes, however, that the time has come to revise the existing divisions and that it is possible and desirable to indicate the main considerations which should guide municipal councils in dealing with this matter.

2. No scheme for dividing a municipality into wards will be satisfactory which disregards commercial, historical, geographical and other natural divisions. Thus, it would be generally inconvenient to allot one side of a street to one ward and the other side to a different ward or to form portions of a town divided by a river or canal into one ward. Other examples of natural electoral units are afforded by (1) villages which, though incorporated in a municipality, have retained their individuality, (2) quarters of a town inhabited by particular classes of artisans and (3) compact aggregations of citizens united by a racial or religious bond. The application of these principles is, however, subject to the limitations indicated below.

3. In the first place, it is desirable that wards should not differ widely in general importance. The factors to be taken into consideration in deciding on the relative importance of wards are the population, the number of voters and the aggregate revenue derived from the ward. An even more important consideration is that no wards should be so small and contain so few voters as to deprive elections of all interest and significance. That small electorates offer special facilities and temptations for corrupt practices is a truism which cannot be ignored in this connection. The Government are not at present prepared to lay down hard and fast rules as to the minimum number of voters required to constitute an electoral ward; but they consider that it will generally be found practicable to secure a minimum of 200 voters for each ward in any of the larger municipalities and a minimum of 100 voters elsewhere.

4. Where a natural group of the kind indicated in paragraph 2 of this order would, by itself, be insufficient to form a satisfactory ward, two or more groups of the kind might serve the purpose.

5. In the case of the larger municipalities, with a population of about 50,000 (or more), such as Madura, Trichinopoly, Calicut, Tanjore and Kumbakonam, the object to be aimed at is to divide the town into as many such wards, as there are elective seats, as in Madras City; each ward will then have one representative in the council. When this course is found to be impracticable, as will not infrequently be the case in the smaller municipalities, each ward should be assigned a number of seats corresponding, as far as possible, to its relative importance, as indicated by population, the number of qualified voters and the aggregate revenue derived from the ward.

6. To take a particular example; suppose that a town has eight elective seats on its council, that it contains a population of 31,645 of whom 637 are qualified voters, and that its aggregate municipal revenue is Rs. 30,871. In

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this instance, each elective seat represents on the average 8,956 persons, 80 voters, and a revenue of Rs. 3,859. A ward which has a population of 8,345 and 139 voters and provides an aggregate revenue of Rs. 4,931 will accordingly be entitled to have $\frac{1}{2} \left\{ \frac{8,345}{8,956} + \frac{139}{80} + \frac{4,931}{3,859} \right\} = \frac{1}{2} (2.109 + 1.737 + 1.277) = \frac{1}{2} (5.123)$; i.e., 1.707 or (roughly) two elective seats. Calculations on these lines will be found convenient,

- (1) for the purpose of dividing a municipality into wards,
- (2) for the purpose of ascertaining the relative importance of wards.

7. Municipal Councils are requested to examine the wards of their towns in the light of these observations and to submit, as early as possible, through the Collector of the district, proposals for their redistribution and for the reallocation of seats therein.

(True extract)

J. P. BEDFORD,
Acting Secretary to Government.

To all Chairmen of Municipal Councils.
,, Collectors.
Editors' Table.

APPENDIX VII.

[Vide answer to question No. 1260 asked by Mr. V. C. Vellingiri Gounder at the meeting of the Legislative Council held on the 8th February 1926, page 53 supra.]

(1)

G.O. Mis. No. 1748, Revenue, dated 9th November 1925

Read—the following paper :—

From the Board of Revenue, Land Revenue and Settlement,
Mis. No. 2477, dated 7th November 1925.

Read—the following paper :—

Letter from the Collector of Coimbatore, to the Second Secretary to the Government of Madras, Ref. No. 7077/25-A-2, dated the 6th November 1925.

[Season—Report—October 1925.]

I have the honour to submit the following report on the state of the season in this district at the end of October.

2. The month of October is normally the most rainy of all the months, the average rainfall received for the whole district being 6.39 inches. The north-east monsoon rains however were late in arriving. The average for the first 20 days of the month was only about half an inch. From about the 22nd things began to improve, and, with good rains over nearly the whole of the district, except Kollegal, during the last seven days of the month, the average has reached the figure of 3.27 inches. This is only half of the normal rainfall for October. Though insufficient in itself, it has had the effect of cheering the ryots very much. Most of the lands have now been ploughed up and will be sown in anticipation of rain in November and December.

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3. In Kollegal there is scarcity of water-supply in most of the tanks and channels, and in a large area the wet crops in two firkas are likely to wither. Ragi, the chief food-grain in Kollegal, is fair in two firkas, good in another, and is withering in parts of a fourth. Pasture and fodder are insufficient in most of the taluk, but work is available for labourers.

4. In Gobichettipalayam division the supply of water in agriculture wells is generally insufficient though garden crops are fair. Cumbu and cholam on dry lands will wither in parts unless more rain is soon received. The harvesting of crops on the wet lands affords work for labourers.

5. In Coimbatore division the rainfall has been beneficial to dry and garden crops, but water in several tanks and irrigation channels is quite insufficient. On the whole, however, the prospect is fair, and cotton and horsegram are now being sown. Fodder is available and work is also available.

6. In Pollachi taluk the groundnut harvest is nearly complete, the out-turn having been 8 to 11 annas. Rainfall has been only half the normal for the month, and the supply in the channels is insufficient for the standing crops.

7. In Udamalpet taluk the tanks are still dry and the Amaravati river is low. There is no withering however reported.

8. Palladam taluk.—It is reported that the rain in October (3.33 inches) has improved the situation and prospects very much. Ragi and cumbu have been harvested in parts thus providing fodder for cattle. Garden wells have not yet received sufficient supply but drinking water is not so scarce as before. Sowing of dry crops and cotton is practically complete. There are many coolies out of work but there is no demand for a famine test-work. In Tiruppattur town Mr. Vittaldas Sait gives kanji to about 400 coolies daily. In two other villages 200 to 300 coolies are similarly fed free.

9. Erode division.—The good rains received during the last week of October have improved the situation in the dry parts of both the Erode and Dharapuram taluks. Perundurai has had very good rain; so also Dharapuram. Kangayam received $4\frac{1}{2}$ inches including one inch earlier in the month. The result is that though the cumbu crops sown early, e.g., in July, have withered in Kangayam division and parts of Sivagiri firka (thus providing only some fodder) the later sown cumbu is in a good condition almost everywhere, and with the usual rains of November should yield a good crop. Lands previously fallow have recently been brought under the plough and made ready for sowing. Drinking water is not so scarce as it used to be, though in many parts the wells still require deepening. The rain has not been sufficient to increase the supply to irrigation wells to an appreciable extent. Grass is growing in the pasture lands and should soon be useful for grazing. Fodder has to be imported from other parts of the district and even from beyond the district. There seems to be a break in the monsoon for the last few days, but provided good rains are received in November, there is no reason why most of the dry lands should not yield good cumbu and even cholam.

10. Meanwhile there is a dearth of occupation for labourers who have spent all their savings. Some of these classes have gone to Bhavani and Gobichettipalayam taluks, but a large number of Adi-Dravidas and even Goundens and Oddars are being employed on the work of clearing itteries of prickly-pear, of improving village-sites, of deepening wells and so on, by certain members of the Servants of India Society who have been supplied

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with a certain amount of funds from their headquarters, supplemented by subscriptions raised in two or three parts of the district and even by local charity. The good work that is being carried on by Mr. V. Venkatasubbayya aided by Messrs. Venkataraghavan and Madhava Rao is well organized and carried out. The coolies are being paid only one pie per head more than the famine wages according to the Famine Code, and are made to work eight hours a day.

11. These gentlemen also conduct and arrange for the conduct by local committees of kanjithotties in several villages where 200 or more old and infirm and incapable persons and children are given one good meal a day free. The attendance at these kanjithotties and relief works and the fact that a large number of persons willing to work have to be turned away every day owing to the limited budget at the disposal of the society indicates to my mind that there is distress prevailing amongst a considerable section of the people in the Kangayam area.

12. I enclose copies of the reports of Mr Venkatasubbayya for the weeks ending 24th October and 31st October. At the end of the month the Servants of India Society had opened work centres at Kangayam, Vellakoil, Ekkatampalayam (near Chennimalai) and Sivanmalai. It intends to open two more sub-centres during the current week, one being at Nathakadaiyur, near the Palayakkottai Pattagar's residence, where it is proposed to improve the itteri running from Nathakadaiyur to Pananjervai and Kiranur, a distance of about seven miles, and the other being at Arungatholivu, where the society intends to undertake the itteri work for which I applied to Government for sanction as a test-work and which the Government sanctioned in their telegram, dated 31st October. Under these circumstances I shall not carry out my original intention of starting this test-work as the labourers will be provided for.

13. The society is running kanjithotties at Kangayam, Vellakoil, Chennimalai and Chinnamuthur. At Vellakoil the kanjithotti is managed by a local committee who have undertaken to bear half the expenditure and one private gentleman has offered to undertake the whole expenses for seven days. At Chennimalai Mr. T. Gurumurthi Chettiyar, the President of the Local Relief Committee, is bearing the entire expenses of the kanjithotti for one month. At Palayakkottai the Pattagar provides for the servants and the fuel. The society is also undertaking the deepening of wells.

14. Mr. Venkatasubbayya with an original sum of about Rs. 10,000 has allotted Rs. 5,000 for wells, Rs. 3,200 for relief work, Rs. 1,500 for kanjithotties and Rs. 300 for office expenses. Although these relief works do not comply with the regulations and requirements demanded by the Famine Code for a test-work they may, in my opinion, be considered to have taken the place of a properly constituted test-work. If a grant were made to the society it would be enabled to expand its work, obtain more assistance either from Coimbatore or Madras, and provide the unemployed population with work as long as it is wanted, that is to say, unless the north-east monsoon fails, until about the end of December when there will be work in the fields.

15. The work of the society has now become well known in every village in that area and the coolies are becoming accustomed to the organization in charge of the works. If these were stopped in a fortnight and a test-work started, I do not think that labourers would readily attend the new work,

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Resolution—Mis. No. 2477, dated 7th November 1925.

Submitted to Government.

2. The Commissioner toured with the Collector for three days in the affected tracts of the Erode, Dhurapūam and Tiruppur taluks. The rainfall during the week ending 31st October 1925 had greatly improved the situation and put heart into the ryots. If, as it seems reasonable to hope, the monsoon rains in November are favourable, all cause for anxiety will rapidly disappear.

3. The Commissioner's observations are in general accordance with the remarks in paragraph 9 of the Collector's report

4. The Board doubts the accuracy of the statement in paragraph 10 of the Collector's letter that the labouring classes have spent all their savings. At Kangayam the Commissioner met a planter from the Anamalais who was endeavouring to get from 400 to 600 coolies for estate work. The terms offered were liberal, viz, a wage of As. 7 for a man, As. 5 for a woman and As. 2 to 4 for a child and sale of rice at a concession rate of 7 measures per rupee. Coolies who would stay on the estate till June were also to get Rs. 13 on account of road expenses and a cumby costing Rs. 3-10-0. The planter was also prepared to take coolies for two months but no allowance on account of expenses would be given to them. He was however informed by his local agent on 5th November 1925 that he might get about 20 coolies in the course of a fortnight and perhaps 20 more in another fortnight. It is quite obvious that coolies who had come to the end of their resources would be more eager to accept these terms.

5. At the end of paragraph 10 of his report the Collector observes that the coolies employed by the Servants of India Society are being paid only one pie per head more than the famine wages according to the Famine Code. This calculation is however incorrect. In paragraph 2 of the report issued by the Agency of the Society for the week ending 24th October 1925 it is stated that the wage given to a man coolie is $1\frac{1}{2}$ Kangayam measures of ragi plus 6 pies in cash and that ragi is sold at the Kangayam market at 10 measures (of 80 tolas) a rupee. The measure in use at Kangayam is the type Madras measure which is equal to 1.48 Imperial seers (of 80 tolas) of ragi. At 10 Imperial seers per rupee, the value of one Madras or Kangayam measure works out to As. 2-4. The wage paid to each man coolie is thus $1\frac{1}{2}$ measures of ragi (value As. 3-0) plus 6 pies or As. 4, whereas the wage of a worker of class I is only 7 pies or As. 1-9, when grain is sold at 10 seers (of 80 tolas) per rupee. Even if a sum of 3 pies is added as an allowance for the wastage due to cleaning under section 129 the wage of a coolie according to the Famine Code works out to only As. 2. The rate paid by the Servants of India Society is thus about double that allowed by the Famine Code.

The Commissioner was unable to ascertain exactly how the task compared with that prescribed in the Famine Code. It is however important to remember that on relief and test-works the chief consideration in attracting workers is not the lightness of the task, but the actual wage.

6. The Board endorses the Collector's remarks about the work that is being carried on by the Servants of India Society. Private charity is active

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throughout the affected area and the only criticism that the Board would make is that in some places (e.g., Chennimalai) free meals were being given to able-bodied persons, a most demoralizing practice.

7. In paragraph 14 of his report the Collector contemplates the provision of employment till the end of December on the assumption that the monsoon will be normal. Experience of serious famines shows however that as soon as the monsoon has established itself the numbers requiring relief fall with astonishing rapidity. With good rains in November it is therefore unlikely that there will be any further necessity for the provision of work.

8. For the reasons given above, the Board cannot agree with the Collector that the works that are being carried out by the Servants of India Society are equivalent to a test-work properly carried out under the provisions of the Famine Code. It however accepts the conclusion in paragraph 15 of the Collector's letter that it is unlikely that a test-work would at present attract labourers. The most important thing for the present is a brisk takkavi campaign and the Commissioner has impressed this on the District Officers. The Board is submitting a separate reference to Government regarding the additional allotment required by the Collector for the grant of loans. It is of urgent importance that this allotment should be sanctioned at once and that there should be no delay in disposing of loan applications and disbursing the money.

Order—Mis. No. 1748, Revenue, dated 9th November 1925.

The Government agree with the Board of Revenue that the works that are being carried out by the Servants of India Society cannot take the place of test-works under the Famine Code. The Board is requested to instruct the Collector at once that, if the demand for work continues, he should open a test-work himself and report the results as soon as practicable.

2. The Board's application for loan funds is being dealt with separately.

(By order of the Governor in Council)

E. W. LEIGH,
Second Secretary to Government.

(2)

G.O. Mis. No. 1969, Revenue, dated 17th December 1925.

Read—the following paper :—

Reference from the Board of Revenue, Land Revenue and Settlement,
Mis. No. 2744, dated 14th December 1925.

Read—the following paper :—

Letter from A. R. Cox, Esq., I.C.S., Collector of Coimbatore,
dated the 12th December 1925, Ref. No. 7077/25-A-2.

[Famine—Dharapuram taluk—Test works—Report under section 51—
Famine Code.]

[Reference.—Telegram from the Board, dated 7th December 1925.]

I beg to submit the report required under section 51 of the Famine Code

8th February 1926]

1. *The present condition and the past history of the locality.*—The area affected is the Kangayam division of the Dharapuram taluk. It is the driest part of one of the driest districts in the Presidency and depends entirely upon well irrigation. There is a large number of wells in this division which is also famous for its wealth in cattle.

For the last three years there had been insufficient rainfall in the tract and consequently there had been a general failure of food and fodder crops and drying up of wells, so much so that great scarcity has recently been felt even for drinking water. As a result of the failure of rains cultivation was very small and no employment was available for agricultural labourers. Dismal accounts began to appear in the Press and the Servants of India Society being attracted by these accounts sent two of its members to this area and they began relief works. A number of coolies were attracted from 1,000 to 1,200 workers in number. There was a good rainfall in October and November and though it eased the situation a little and afforded hopes of a good harvest in January 1926, the landless labourers still had no work till the harvest season. The resources at the disposal of the Servants of India Society did not allow it to continue the works for so long and they expected to have to stop their works in December. In order to find out whether distress requiring State relief existed among these persons, I started three test-works on 1st December 1925. The number of workers who have attended the works so far is as follows :—

Date.	From Palayakkottai road to Paohapalam—Pappini.	Kadayur-Padiyur road.	Nathakadaiyur-Chennimalai road.	Total.
1	...	12	...	12
2	..	18	..	18
3	...	17	138	155
4	37	18	191	246
5	119	36	229	384
6	...	134	228	362
7	Rest day.	...	...	...
8	174	185	89	448
9	No work due to rain.	152	81	233
10	No work on account of rain.	.	..	...
11	...	85	21	106

2. The rainfall at Kangayam for the last three years is as follows :—

Month.	Normal.	1923.	1924.	1925.
April ...	1.68	0.62	1.32	2.23
May ...	3.59	1.99	2.27	3.62
June ...	1.11	0.34	0.41	0.37
July ...	0.72	Nil	1.73	Nil
August...	1.29	Nil	0.38	0.16
September	2.96	0.96	2.42	1.76
October	5.88	5.33	4.05	4.45
November	3.71	0.34	1.90	4.89
December	1.40	1.38	1.15	5.55 (up to date).

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The standing crops in dry lands are reported now to be in good condition, except for cholam which is being spoilt by excessive rain. No grain is available locally but is being imported from outside. The price of food-grains at Kangayam from April to November is compared below :—

			Rice.	Paddy.	Ragi.	Cholam.	Cumbu.
				1st sort.	2nd sort.		
April	..	{ 1924	3.05	5.97	6.50	5.02	4.00
		{ 1925	3.00	5.50	6.00	4.88	5.90
May	..	{ 1924	3.00	6.00	6.50	5.00	4.00
		{ 1925	3.00	5.00	6.00	4.85	4.56
June		{ 1924	3.00	6.00	6.50	5.00	4.00
		{ 1925	3.00	5.50	6.00	4.85	4.56
July	.	{ 1924	3.00	6.00	6.50	5.00	3.75
		{ 1925	3.00	5.50	6.00	4.85	4.56
August	.	{ 1924	2.36	4.56	4.64	4.80	3.61
		{ 1925	2.94	5.37	5.85	4.89	4.53
September	..	{ 1924	2.47	4.93	5.63	4.93	3.72
		{ 1925	2.93	5.34	5.98	5.36	4.56
October		{ 1924	2.50	5.00	5.50	5.00	3.75
		{ 1925	2.87	5.52	6.35	5.65	4.94
November	..	{ 1924	2.57	5.00	5.50	5.00	3.61
		{ 1925	2.84	7.48	9.49	6.53	4.75

* Not available.

3. The value of the three test-works opened by me has been to a great extent vitiated by the fact that the agents of the Servants of India Society were offering and promising and paying supplemental wages to those who attended. These supplemental wages were stopped on 9th instant and since then there has been a decrease in the attendance. Heavy rains have also prevented coolies from working. Considering the poor attendance, I do think the test-works need be kept open any longer and I therefore propose closing the works on the 15th and am issuing orders accordingly.

4. One charge officer and three work agents have been appointed and continue for the present.

5. No increase of crime, mortality or emigration is reported.

6. The area served by the test-work is the northern portion of the Dharampuram taluk (Kangayam division). The works have been carried out on the piecework system under section 113 of the Famine Code. Ragi is the grain in common use in the area and a mixed basis of two-thirds ragi and one-third cholam has been approved by the Board. The amount of wages fixed for the several classes of workers is the following :—

Class	I	A.	P.	Class	V (a)	A.	P.
	II	2	3		V (b)	1	0
"	III	1	9	"	V (c)	0	9
"	IV (a)	1	6	"	V (d)	0	9
"	IV (b)	1	6	"	V (e)	0	6
				1	3					0	6

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Order—Mis. No. 1969, Revenue, dated 17th December 1925.

Recorded.

2. The further report promised by the Collector is awaited.

(By order of the Governor in Council)

A. D. CROMBIE,
Under Secretary to Government.

(3)

G.O. Mis. No. 39, Revenue, dated 6th January 1926.*Read—the following paper :—*Proceedings of the Board of Revenue, Land Revenue and Settlement,
Mis No. 2832, dated 23rd December 1925*Read—the following paper :—*Letter from the Collector of Salem, L. No. 10812/25, dated the
12th December 1925

It is stated in the season report for the week ending 28th November 1925 that labour is not available in parts of the Rasipur taluk. This condition existed only in a few isolated villages of Vennandur firka where the coolie population consisting mostly of Adi-Dravidas went to Trichinopoly and other districts in the hope of getting higher wages. With the subsequent rainfall of between two and three inches there has been considerable improvement and it is now reported by the Tahsildar that the men are returning to their villages. With the cultivation in progress of cholam, Cambodia cotton, tenai, samai and the transplantation of ragi and paddy and the connected weeding operations for the earlier cultivation of Cambodia cotton and cholam sufficient labour is now available. Moreover the threshing of groundnut is in progress in almost all the villages and affords work for the labouring classes. The area cultivated in this taluk in November 1925 was 2,199 acres wet and 10,790 acres dry. The area cultivated in November 1924 was 680 acres wet and 10,131 acres dry. Thus the total area cultivated in November 1925 is slightly in excess of that in November 1924. There can therefore be no lack of labour for the labouring classes at present.

2. Regarding the general state of the season, no doubt the monsoons have been again disappointing, but none of the symptoms of distress referred to in section 34 of the Famine Code exist in spite of the fact that the prices of certain of the food-grains had risen. The Tahsildar of Rasipur reports with figures that the cultivation of cotton and groundnut has increased in his taluk at the expense of food-grains and attributes the rise in local prices of grains to that cause. As a matter of fact, there is a slight fall in prices in the current week and they compare favourably with those in the corresponding period of 1923-24. The Revenue Divisional Officer, Namakkal, reports that while azmoishing the wet ayakats he inspected the adjoining dry lands also and found that in almost all the villages he inspected the whole of the wet ayakat as well as the dry lands had been cultivated

8th February 1926]

with dry crops. In other words, he found no wastes. The dry crops are in good condition and should, with the frequent small showers that we are having, yield about an eight-anna crop. I do not therefore apprehend any scarcity at present.

3. As regards the Namakkal taluk, the number of emigrants in 1924 was 12,100 and in the current year up to date only 10,894. Want of labour is said to be the cause of the emigration; but the higher wages obtaining in Ceylon is apparently also an attraction. Motor bus loads of coolies pass down the main road to Trichinopoly having been recruited by the Ceylon Labour Commission. A large extent of land in this taluk should be under wet cultivation with the aid of wells; but as there has been no adequate rainfall during the last three years, the wells in the greater part of the taluk have run low or dry and in consequence wet cultivation under wells has generally given place to dry cultivation. For wet cultivation labour is required from start to finish; but for dry cultivation, practically no outside labour is required. There being thus no demand for labour, coolies have to seek employment elsewhere.

4. As already stated, there have been very appreciable rains during this week in Namakkal and in Rasipur taluk and this will brace the standing crops and ensure a reasonable outturn. But the question of drinking water seems to be a more serious one in many villages and further heavy showers are needed to start the sub-soil springs and augment the supply of water in the wells. I have just returned from a tour in Namakkal taluk and do not consider that there is any likelihood of a failure of the dry crops which support the bulk of the people; the Cauvery channel area is as usual a garden of rice fields. The main difficulty next year will be a shortage of drinking water in certain areas.

Resolution—Mis. No. 2832, dated 23rd December 1925.

Recorded.

2. In paragraph 1 of his letter read above the Collector states that employment was not available during the week ending 28th November 1925 only in a few isolated villages of the Venandur firka where the coolie population consisting mostly of Adi-Dravidas went to Trichinopoly and other districts in the hope of getting higher wages. Presumably only a small number of persons emigrated. In the circumstances it should have been stated in the weekly season reports that there was unemployment only in a few villages.

3. It is also reported that next year there will be a shortage of drinking water in certain areas. The Collector is requested to address the local boards to take necessary action in the matter by way of deepening wells wherever necessary.

Order—Mis. No. 39, Revenue, dated 6th January 1926.

Recorded.

(By order of the Governor in Council)

H. M. Hood,
Acting Secretary to Government.

[8th February 1926]

(4)

G.O. Mis. No. 156, Revenue, dated 28th January 1926.*Read*—the following paper :—

Proceedings of the Board of Revenue, Land Revenue and Settlement,
Mis. No. 114, dated 19th January 1926.

Read—the following paper :—

Letter from the Collector of Coimbatore, Ref. No. 7077/25-A-2,
dated the 7th January 1926.

[Famine—Dharapuram taluk—Test works—Report—Final.]

I submit the following report on the conduct of the Famine Test works in the Dharapuram taluk.

2. Three test works were started near Kangayam, namely :—

(1) Road from Kadayar to Padiyur.

(2) Road from the third mile of Palayacottai Road to Pachapalayam-pappini on the Muthur Road.

(3) Road from Nathakadayur to Chennimalai up to the Noyyal River via Marudurai.

3. Two work agents from the Public Works Department and one charge officer (a Deputy Tahsildar) arrived in advance to start the works in 1st December 1925.

Works Nos. (1) and (3) were started on the 1st December, but except 12 men coolies at No. (1) road, all other men and women refused to work for wages fixed by Government and returned home. No. (2) work was started on 2nd December but the large number of coolies that turned up refused to work and returned home.

4. On the 3rd December by the inducement of the Pattagar of Palayacottai and on promise to the male labourers of supplemental wages by the Servants of India Society, a large number of coolies turned up and worked in No. (3) work and from the 4th December on works Nos (1) and (2). Till then a small number of labourers, chiefly women, was working in No. (1) work.

5. Subsequent to the 4th December there was a great influx of labourers on all the roads except on rainy days; they came from places within $2\frac{1}{2}$ or 3 miles radius from the work spots.

6. The supplemental wage paid by the Servants of India Society was stopped with effect from 9th December 1925 and after that date there was a decrease in the attendance. Between the 4th and 12th there were also heavy rains as much as 5.77 inches and the wells also began to receive supplies.

7. As the attendance at the works was not in my opinion large enough to justify their continuance they were stopped on the 16th December under my orders.

8. The Assistant Engineer, Erode, who was in charge of the works, now reports that the works were carried out under the Task Work System as described in section 108 of the Famine Code and wages were disbursed to each individual labourer direct. For the sake of convenience and efficient control the coolies were divided into suitable gangs and allotted work.

9. An amount of Rs. 414 was spent on these works.

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Resolution—Mis. No. 114, dated 19th January 1926.

Submitted to Government.

2. In view of the restricted area in which distress was apprehended by the Collector the opening of one test work would have been quite sufficient to establish the existence, or non-existence of famine conditions.

(True extract)

W. S. BROWN,
Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Collector of Coimbatore

Order—Mis. No. 156, Revenue, dated 28th January 1926.

Recorded.

2 The Government agree with the opinion expressed by the Board of Revenue.

(By order of the Governor in Council)

H. M. HOOD,
Secretary to Government

To the Board of Revenue, Land Revenue and Settlement.

APPENDIX VIII.

Vide answer to question No 1264 asked by Mr. G. Rameswara Rao at the meeting of the Legislative Council held on the 8th February 1926, page 56 supra]

Assessment payable by forest panchayats formed by the special staff.	Receipts by the Forest Department.	The charges and costs that have been saved by the Forest Department.	The difference between columns 2 and 3 as regards all the areas of reserves handed over to panchayat management till the end of		Difference between columns 1 and 4 and 1 and 5.	
			31st March 1925.	30th Sep. 1925.	31st March 1925.	30th Sep. 1925.
1	2	3	4	5	6	7
RS. 16,599	RS. 64,135	RS. 47,003	RS. + 33,187	RS. + 17,432	RS. — 16,586	RS. — 833

(a) The charges and costs saved by the Forest Department on account of the reserves handed over to panchayats up to 31st March 1925	RS. 31,248
The charges and costs saved by the Forest Department on account of the reserves handed over to panchayats from 1st April to 30th September 1925	15,755
	* 47,003

* Does not include the pay of District Forest Officers and the savings on account of fluctuating items, viz., conservancy and works, travelling allowance and contingencies.

[8th February 1926]

APPENDIX IX.

[Vide answer to question No. 1274 asked by Mr. C. Muttayya Mudaliyar at the meeting of the Legislative Council held on the 8th February 1926, page 59 supra.]

Extract from G.O. No. 1354-A, P.H., dated 19th October 1921.

* * * * *

7. *Extravagance of the small dispensary*—An examination of the cost per patient in small up-country dispensaries indicates very clearly that the work done by such small institutions costs twice or thrice that in a larger institution. The Government are advised that in many such places the medical officer in charge could, without inconvenience, attend in one, two or at the most three days to all the patients who normally visit the dispensary during a week. It should be possible, without an appreciable increase in cost, to bring medical relief within reach of a much larger proportion of the population by placing such institutions in charge of itinerating in lieu of resident medical officers and requiring such officers to visit in regular rotation a number of specified villages every week. This system is practised with considerable success in rural areas in Western Europe and its possibilities are already engaging the attention of a number of presidents of district boards

* * * * *

Extracts from G.O. No. 1606, P.H., dated 28th November 1921.

* * * * *

6. The Government have also pointed out the wastefulness of employing a whole-time officer in a dispensary which does not provide sufficient work for a whole-time man, and they have suggested that such dispensaries should be closed for two or three days of the week and the medical officer in charge required to tour, visiting specified places on specified week-days. They consider that the rural population would be brought in closer touch with such medical assistance as they may require if the itineraries of touring medical officers could provide for the principal shandies in each taluk being visited on shandy days. The Government are convinced that an itinerating system is of no value unless the itinerary is so fixed that the rural public know on what days and on what hour the medical officer will visit their neighbourhood.

* * * * *

9. The attention of local boards is invited to the cost per patient in the less frequented dispensaries as contrasted with the cost per patient in the larger dispensaries. The Government consider that the boards are not getting adequate value for the money spent on maintaining the smaller dispensaries and will not in future be prepared to subsidise such institutions unless provision is made by the taluk boards concerned for utilizing the surplus time of the medical officer in charge on the lines indicated in paragraph 6.

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APPENDIX X.

[Vide answer to question No. 1277 asked by Mr. K. Sitarama Reddiyar at the meeting of the Legislative Council held on the 8th February 1926, page 62 supra.]

Number and name of district.	Amount of grant sanctioned in 1925-26 for rural water-supply.	Number and date of the Government Order in which the grant was sanctioned.	Date of communication of the Government Order to the Presidents of District Boards.
	RS.		
1 Anantapur .. {	20,000	3370, L. & M., 18th Sep. 1925.	21st Sep. 1925.
2. Arcot, North ..	26,600	1983, P.H., 24th "	25th "
3 Arcot, South ..	20,945	3350, L & M., 17th "	18th "
4 Bellary .. {	25,000	3318, " 17th "	18th "
5. Chingleput ..	20,000	3417, " 21st "	22nd "
6. Chittoor ..	14,650	2010, P H., 29th "	30th "
7. Coimbatore ..	12,900	3352, L & M., 17th "	18th "
8. Cuddapah ..	6,000	3353, " 17th "	18th "
9. Ganjam ..	30,000	3346, " 17th "	18th "
10. Godavari ..	30,000	3351, " 17th "	18th "
11. Guntur ..	20,000	3349, " 17th "	18th "
12. Kanara, South ..	28,350	3419, " 21st "	22nd "
13. Kistna ..	25,000	3347, " 17th "	18th "
14. Kurnool ..	30,000	3345, " 17th "	18th "
15. Madura ..	59,290	3367, " 18th "	21st "
16. Malabar ..	32,370	3366, " 18th "	21st "
17. Nellore ..	33,970	3365, " 18th "	21st "
18. Nilgiris, The ..	14,000	3416, " 21st "	22nd "
19. Ramnad ..	29,000	3374, " 18th "	21st "
20. Salem ..	30,000	3418, " 21st "	22nd "
21. Tanjore ..	14,000	3373, " 18th "	21st "
22. Tinnevely ..	20,000	3371, " 18th "	22nd "
23. Trichinopoly ..	45,000	3375, " 18th "	21st "
24. Vizagapatam ..	10,863	3368, " 18th "	21st "
	7,062	3369, " 18th "	21st "
	20,000	3372, " 18th "	21st "

APPENDIX XI.

[Vide item IV 'Communications to the Council' on page 67 supra.]

G.O. No. 53, Development, dated 12th January 1926.

READ--the following papers:—

Letter from E. F. THOMAS, Esq., C.I.E., I.C.S., Director of Industries, to the Secretary to Government, Development Department (through the Accountant-General, Madras), dated Madras, the 6th November 1925, No. 401-E/25.

I have the honour to forward herewith the balance sheet together with the relative profit and loss account of the Industrial Engineering Workshops for the half-year ending 30th September 1925 received from Messrs. Fraser and Ross, Commercial Accountants and Auditors to Government. It will be observed therefrom that the workshops earned the satisfactory net profit of Rs. 2,695-12-4. The profit and loss account calls for no special remarks from me.

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Cash and other balances—					
Personal ledger No 1 account ..	164	2	3		
Personal ledger No 2 account ..	9,586	14	0		
Petty cash ..	100	0	0	10,251	0 3
				1,38,154	5 10

Examined and found correct.

FRASER & ROSS, Chartered Accountants,
Commercial Accountants
and Auditors to the Government of Madras.

MADRAS,
31st October 1925.

(2)

Profit and Loss account for the half-year ending 30th September 1925.

	Rs.	As.	P.	Rs.	As.	P.
To Opening stock ..	31,133	15	2			
By Opening work in progress ..	4,220	0	9			
				35,353	15	11
By Purchases ..				15,879	12	3
Wages ..				7,690	3	11
Salaries ..				4,379	4	2
Water charges ..				88	1	8
Telephone rent ..				62	2	7
Plant and Machinery maintenance ..				156	12	0
Insurance ..				69	13	9
Printing and Stationery ..				27	14	0
Miscellaneous ..				100	0	0
Audit fee ..				987	0	0
Leave and Pension contributions ..						
Depreciation on—						
Buildings ..	835	0	0			
Roads ..	21	0	0			
Plant and Machinery ..	898	0	0			
Furniture ..	236	0	0			
				1,991	0	0
				2,695	12	4
Net profit ..				71,669	4	4

N.B.—Interest has not been included in the Profit and Loss Account
Interest on capital on quarterly balances at 5 per cent per annum works out at Rs. 3,048.

By Miscellaneous receipts ..	..	..	..	Rs.	As.	P.
Work done for—						
Pumping and Boring section ..	..	..	..	24,078	5	10
Inter departments ..	..	..	..	1,414	3	4
Other departments ..	..	..	..	12	0	0
Private parties ..	..	..	..	5,253	4	2
				34,757	13	4
Workshop maintenance per contra ..	..	..	..	2,337	7	9
Work in progress on 30th September 1925 ..	..	..	..	6,543	10	11
Stock on 30th September 1925 ..	..	..	..	27,927	4	4

71,669 4 4

[8th February 1926]

II

*Endorsement of the Accountant-General, No. H.A. Comml.
14-1162, dated 28th November 1925.*

Forwarded.

2. The amount debitable to the profit and loss account for the period on account of leave and pensionary contribution works up to Rs. 878-0-0 according to the details given below against Rs. 987 actually debited. The Commercial Auditors have been asked to adjust the difference in the accounts of the next half-year.

	RS	A.	P.
Proportionate pay of the Industrial Engineer..	965	6	0
Proportionate pay of the Assistant Industrial Engineer	1,413	12	0
Pay of supervisor	690	0	0
Pay of store-keeper	443	0	0
	3,512	2	0
25 per cent thereof ..	878	0	0

3. An expenditure of Rs. 2,420-14-0 incurred by the Public Works Department in the construction of sheds and compound walls with gates at the Industrial Engineer's Workshop and debited in the accounts of this office for September 1925 to "56-C. Capital outlay on Industrial Developments—Investments in Government commercial undertakings" will have to be included in the next balance sheet.

M. SUBRAHMANYAM,
Deputy Accountant-General.

To the Secretary to Government, Development Department.

Order—No. 53, Development, dated 12th January 1926.

Recorded.

(By order of the Government, Ministry of Development)

V. PANDRANG ROW,
Secretary to Government.

To the Director of Industries.

.. Accountant-General (through Finance Department).

.. Finance Department.

.. Auditor-General (with C.L.).

.. Secretary, Legislative Council, for placing the order on the Council Table.

To Messrs. Fraser & Ross.

8th February 1926]

APPENDIX XII.

[Vide item IV ' Communications to the Council ' on page 67 supra.]

(a)

Proceedings of the seventh meeting of the Finance Committee for 1925-26 held on Saturday, the 12th December 1925, at 12 noon in the Cabinet Chamber, Fort St. George.

PRESENT:

The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S. (Chairman).

M.R.B. K. PRABHAKARAN TAMPAN AVARGAL, M.L.C.

„ C. RAMALINGA REDDI GARU, M.L.C.

„ P. N. MARTHANDAM PILLAI AVARGAL, M.L.C.

G. T. BOAG, Esq., I.C.S., M.L.C.

Messrs. A. Y. G. Campbell, C.I.E., Chief Secretary to Government, C. B. Cotterell, C.I.E., Secretary to Government, Local Self-Government Department, H. R. Uzielli, Deputy Secretary to Government, Local Self-Government Department, V. T. Krishnama Achariyar, Secretary to Government, Law Department, V. Pandrang Row, Secretary to Government, Development Department, and P. K. Subba Ayyar, Assistant Secretary to Government, Public Works Department, were also present.

I.—SCHEMES FOR INTRODUCTION IN THE CURRENT YEAR.

A.—TO BE MET BY SUPPLEMENTARY DEMANDS.

(1) Appropriation for the purchase of the Pykara Hydro-Electric Concession.

Abstract of the proposal.—In June 1923, the concession to make use of the water in the Pykara and Avar Halla rivers in the Nilgiris for the generation of electrical energy for industrial purposes was given to a syndicate on certain specified terms with an option of repurchase by the Secretary of State after forty years. The Government having now decided to embark on a definite forward policy in the development of hydro-electric schemes throughout the Presidency, wish to take up the Pykara project, themselves, as it appears to be one of the most promising of the various schemes proposed. To this end, negotiations have been conducted with the result that it is now possible to repurchase the concession at a cost of £10,000 or Rs. 1,34,000 inclusive of loss by exchange. It is expected that the scheme will yield a probable return of about 11 per cent on a capital outlay of about Rs. 2 crores. A supplementary demand will be moved for the sum of Rs. 1,34,000 required in the current year.

Extra cost.

	1925-26.
	RS.
Non-recurring	1,34,000

Recommendation of the Committee.—The proposal to move a supplementary demand for Rs. 1,34,000 in the current year was recommended by the Committee.

[8th February 1926]

(2) Continuance of the new Public Works Secretariat for a further period of six months.

Abstract of the proposal.—Pending sanction of the Secretary of State to the creation of an additional appointment of Secretary to Government, Public Works Department, the new Secretariat was sanctioned on a temporary basis for a period of six months ending on 20th November 1925. A supplementary grant for a sum of Rs. 37,000 on account of the staff was obtained from the Legislative Council. The Secretary of State's sanction for the post of Public Works Department Secretary has not yet been received and the existing sanction for the staff has expired. It is accordingly proposed to continue the staff for a further period of six months from the 21st November 1925 and to move a supplementary demand for Rs. 17,400 being the anticipated further expenditure in the current year. This amount will be met from corresponding savings under Grant XXVIII—Civil Works—Transferred.

Extra cost.

	1925-26.
	RS.
Recurring	17,400

Recommendation of the Committee.—The proposal to move a supplementary demand for Rs. 17,400 in the current year was recommended by the Committee.

(3) Construction of a Tuberculosis Hospital, Madras.

Abstract of the proposal.—In 1917, the Government accepted the offer of an endowment of Rs. 50,000 from Sir Muttayya Chettiyar and undertook to utilize it for the construction of a Tuberculosis ward on the Spur Tank site to be named after his father. The Finance Committee in 1924 accepted the proposal to construct a ward of 72 beds on the Spur Tank site at an estimated cost of Rs. 2,57,900. Sir Muttayya Chettiyar's donation including interest now stands at Rs. 58,975. Detailed plans and estimates for the work are nearly ready, and in view of the fact that the accommodation available in the present temporary hospital at Royapetta is quite insufficient, it is proposed to take up the work immediately, meeting the expenditure in the current year from out of the sum of Rs. 58,975 referred to above. There will be no expenditure from Provincial funds in the current year, but a sum of Rs. 1,00,000 will be necessary in 1926-27. The item being a new scheme, a supplementary demand for a nominal sum of Rs. 100 will be moved in the Legislative Council.

Extra cost.

	1925-26.	1926-27.
	RS.	RS.
Non-recurring	* 58,975	1,00,000 (Provincial funds)

* Will be met out of Sir Muttayya Chettiyar's donation.

Recommendation of the Committee.—The proposal to move a supplementary demand for Rs. 100 in the current year was recommended by the Committee.

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(4) Expenditure in connexion with His Excellency the Viceroy's Tours in 1923 and 1925.

Abstract of the proposal.—At the meeting of the Legislative Council on 10th October 1924, a supplementary demand for Rs. 20,000 was moved on account of charges in connexion with His Excellency the Viceroy's visit for payment to the South Indian Railway of the expenses involved in collecting and stacking certain permanent way materials beside the line from Erode to Trichinopoly. The consideration of the motion was adjourned till the opinion of the legal officers on the subject of the legal liability of the Government to reimburse the railway company was obtained. The Advocate-General has been consulted and the matter has also been referred to the Government of India who have declined to modify their previous decision. The total bill now remaining to be paid for collecting and stacking permanent way materials amounts to Rs. 12,210-15-0. In addition to this sum, certain bills aggregating Rs. 3,812-9-1 for extra lighting and patrolling have also to be met. The total of the demands is Rs. 16,023-8-1. A supplementary demand for Rs. 16,024 will be moved at the next meeting of the Legislative Council.

Extra cost.

	1925-26.
	RS.
Non-recurring	16,024.

Recommendation of the Committee.—The proposal to move a supplementary demand for Rs. 16,024 in the current year was recommended by the Committee.

(5) Purchase of a trawler and the engagement of a Master Fisherman.

Abstract of the proposal.—In August last, the Legislative Council voted a supplementary grant of Rs. 34,100 towards the purchase of a second-hand trawler for deep-sea fishing experiments at a cost of £2,400 or Rs. 32,000 and towards the pay for three months during the current year at Rs. 690 *per mensem* of a Master Fisherman with effect from 1st December 1925. The High Commissioner was asked to ascertain whether Captain Cribb who was in this Government's employ in 1923 would accept re-employment, and to make enquiries regarding the cost of a second-hand trawler. A trawler which is now said to be available is estimated to cost Rs. 1,45,466 while Captain Cribb who is willing to accept re-employment has stipulated for a scale of Rs. 750—50—800 or Rs. 2,250 for three months in this year. It is expected that out of the total cost of Rs. 1,47,716, a sum of Rs. 67,716 will be spent in 1925-26 and the balance of Rs. 80,000 in 1926-27. It is proposed to move a supplementary demand for a sum of Rs. 33,316, being the excess over the sum of Rs. 34,100 already voted by the Council.

Extra cost

	1925-26.	1926-27.
	RS.	RS.
Non-recurring	33,316	80,000

Recommendation of the Committee.—The Committee adjourned the consideration of this item pending a further report from the Development Department.

[8th February 1926]

**B.—SCHEMES TO BE MET BY REAPPROPRIATION OR OTHERWISE
THAN BY A SUPPLEMENTARY DEMAND.**

**(1) Appointment of an additional Clerk in the Special Funds
Audit Section of the Kistna Collector's Office.**

Abstract of the proposal.—There were four Special Fund clerks in the old Kistna Collector's office before bifurcation. At the time of bifurcation the Board of Revenue recommended three Special Fund clerks for each district. The Government however sanctioned only two for each, the intention being that the staff might be increased if experience proved it to be necessary. Judged by the volume of work and the fact that in the adjoining districts of Guntur and East Godavari where the work is about equal to that in the present Kistna district, three permanent clerks have been sanctioned, it is considered that the need for an additional clerk has been made out.

Extra cost.

					1925-26.	Ultimate.
					RS.	RS.
Recurring	..	..	..	..	88	570

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to temporarily in the current year, the extra expenditure being met by reappropriation. As regards 1926-27, the Committee desired that the scheme should be brought forward as a Part II scheme

**(2) Purchase of motor bicycle with side-car for
the High Court.**

Abstract of the proposal.—The High Court has proposed that the present system of circulating papers to the residences of the Hon'ble the Judges by means of three tricycles fitted with baskets may be given up and that a motor bicycle with a side-car may be purchased for the purpose. The Hon'ble Judges live in different parts of Madras and they have complained of the inconvenience caused by the papers reaching them late at night or only the next morning. Breakdowns are also frequent in the present means of locomotion. Two out of the three posts of tricycle peons will be kept vacant so long as the motor bicycle is working, the other tricycle peon being retained for emergencies. The extra expenditure will be met by reappropriation.

Extra cost.

					1925-26.	Ultimate.
					RS.	RS.
Recurring	..	..	..	..	200	200
Non-recurring	..	..	..	..	2,000	2,000

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to in the current year, the extra expenditure being met by reappropriation.

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(3) Appointment of a Temporary Sub-Judge at Cuddapah for three months.

Abstract of the proposal.—The Sessions work in the Cuddapah district has been very heavy since the reopening of the Court and besides there were 209 appeals pending, of which 135 were over six months old. The District Judge has, in consequence, not been able to devote much time towards the disposal of civil cases. In view of the arrears of civil work on the file of the District Court, the need for a temporary Sub-Court has been felt; and it is proposed to open a Sub-Court at Cuddapah for a period of three months from 4th January 1926.

Extra cost.

	1925-26.	1926-27.
	RS.	RS.
Recurring	1,747	1,010

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to in the current year, the extra expenditure being met by reappropriation.

(4) Appointment of an additional District Munsif in the Ganjam district.

Abstract of the proposal.—With a view to give relief to the District Munsifs of Berhampur and Aska who have heavy arrears, due in the former case to the fact that as many as 74 suits were remanded to him on appeal and in the latter to the Court remaining without a presiding officer for some time, it is proposed to appoint an additional District Munsif to reduce the pendency of old suits. The cost in the current year will be met by reappropriation.

Extra cost.

	1925-26.	1926-27.
	RS.	RS.
Recurring	839	485

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to in the current year, the extra expenditure being met by reappropriation.

(5) Employment of an additional clerk in the Sub-jail at Koraput

Abstract of the proposal.—The question of raising the status of the Sub-Jail at Koraput to that of a District Jail is under consideration. Meanwhile, as the number of prisoners has increased and the Jail department have also undertaken drainage works and building construction, the existing staff is unable to cope with the increased work. It is accordingly proposed

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to sanction an additional clerk on Rs. 35—60 plus Rs. 15 (special pay) and to meet the expenditure in the current year by reappropriation.

Extra cost.

	1925-26.	Ultimate.
	RS.	RS.
Recurring	125	600

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to temporarily in the current year, the extra expenditure being met by reappropriation. As regards 1926-27, the Committee desired that the scheme should be brought forward as a Part II scheme.

(6) Increase of subsidy towards the cost of maintenance of the Municipal High School, Proddatur.

Abstract of the proposal.—The Municipal Council, Proddatur, took over the management of the National High School at the place in 1922 with the aid of a Provincial subsidy of three-fifths of the net cost of the school, subject to a maximum of Rs. 3,000. The municipal council is unable to meet the balance of the cost of maintenance of the school in view of its unsatisfactory financial position and the growing increase in the expenditure on the secondary school. It is accordingly proposed to give an increased subsidy on the basis of the net cost of the school in the year 1923-24 which was Rs. 3,652. The increased subsidy will then be a sum of Rs. 1,461, being the difference between the sum of Rs. 3,652, the net cost in 1923-24 and the existing subsidy of Rs. 2,191. The expenditure can be met in the current year by reappropriation.

Extra cost.

	1925-26.	Ultimate.
	RS.	RS.
Recurring	1,461	3,652

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to in the current year, the extra expenditure being met by reappropriation.

(7) Employment of an additional Typist and an additional Attender in the Surgeon-General's office.

Abstract of the proposal.—The number of typists in the Surgeon-General's office prior to 1923 was four. It was reduced to three and at the same time, the Government sanctioned the appointment of a second stenographer to be utilized by the Personal Assistant and the Manager in disposing of papers. Even with this addition, the work remaining to be done is too much for three typists. As regards the attenders, there were, prior to June 1923, four attenders and one muchi in the office. The muchi's post was abolished in 1923 and his work is now done by one of the four attenders. The attenders are attached one to each of the four main sections in the office and there is no separate attender for the new section recently created in

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connexion with the scheme for the control of expenditure. As the sections are located in two stories, it is not found possible to manage the work of all the sections with only four attenders. It is proposed to sanction a typist and an attender with effect from 1st January 1926 and to meet the expenditure in the current year by reappropriation.

Extra cost.

	1925-26.	Ultimate.
	RS.	RS.
Recurring	170	954

Recommendation of the Committee.—*The Committee desired that the scheme should be brought forward as a Part II scheme for 1926-27 with information as to the increase of work and the need for the second stenographer.*

(8) Purchase of additional equipment for the X-Ray Department of the Government Royapetta Hospital, Madras

Abstract of the proposal.—It was reported that much difficulty was experienced in the Government Rayaputram hospital in arriving at a quick diagnosis of diseases since the hospital has to depend entirely upon the reports of the X-Ray Institute, and accordingly it was ordered that X-Ray work should be started again in the Royapetta and Rayapuram hospitals. A Sub-Assistant Surgeon was posted to the Royapetta hospital on the 1st April 1925, but the work could not be started as certain additions to the equipment costing Rs 1,200 were necessary to bring the X-Ray department in the hospital up to date. It is accordingly proposed to sanction the purchase of the equipment in the current year, the cost being met by reappropriation.

Extra cost

	1925-26	Ultimate.
	RS.	RS.
Non-recurring	1,200	1,200

Recommendation of the Committee.—*The proposal was recommended by the Committee for acceptance.*

(9) Grant to the Provincial centre of the St. John's Ambulance Association, towards the expenses connected with the Ambulance competitions in Madras.

Abstract of the proposal.—The next All-India St. John's Ambulance Competitions, Madras, will be held in the middle of February 1926, the necessary arrangements therefor being made by the South Indian Provincial Centre, of which His Excellency the Governor is the President. The funds at the disposal of the Provincial centre are practically nothing, while the total expenditure connected with the forthcoming competitions is expected to be about Rs. 5,000. In the past, grants have been made to the Association in the years 1911, 1914 and 1919. Further, other Provincial Governments have also been making grants to the branch associations in their

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Provinces. As the South Indian Provincial centre has been doing very valuable work in this Presidency, it is proposed to sanction a grant of one-half of the actual expenditure incurred, subject to a maximum of Rs. 3,000, and to meet the expenditure by reappropriation within the sanctioned allotment under "32. Medical".

Extra cost.

	1925-26.	Ultimate.
	RS.	RS.
Non-recurring	3,000	3,000

Recommendation of the Committee.—The proposal was recommended by the Committee for acceptance.

(10) Appointment of a temporary Clerk in the Office of the Director of Agriculture to deal with work connected with the Cotton Transport Act, 1923, and the Cotton Ginning and Pressing Factories Act, 1925.

Abstract of the proposal.—The Cotton Ginning and Pressing Factories Act, 1925, came into force with effect from 8th August 1925, and the Cotton Transport Act, 1923, will be brought into force shortly. There are about 266 cotton ginning factories and 58 cotton pressing factories. Many of these will require detailed instructions as to the duties laid on them by the Acts and the rules framed under them. Further, instructions as to the effect of the application of the Cotton Transport Act and the rules framed thereunder will also be required by cotton growers, traders and merchants in cotton, cotton manufacturers and railway companies. The above items of work will necessitate the appointment of at least one extra clerk with sufficient experience to understand the Acts and notifications and rules to enable him to draft replies. Accordingly, it is proposed to sanction the appointment of a clerk in the scale of Rs. 65-4-85. The clerk will be sanctioned temporarily for one year, his pay being fixed at Rs. 65 per mensem, and the cost met in the current year by reappropriation.

Extra cost.

	1925-26.	Ultimate.
	RS.	RS.
Recurring	163	780

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to in the current year, the extra expenditure being met by reappropriation.

(11) Appointment of an Inspector of Co-operative Societies for the supervision of Societies to be formed for the Depressed Classes in the Coimbatore district.

Abstract of the proposal.—Several large blocks of disafforested land to the extent of 2,710 acres in the Coimbatore district have been assigned to members of the depressed classes in order that they might form new colonies and settle down there. If the scheme of colonization is to succeed,

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the assignees should form themselves into co-operative societies, as otherwise they would be unable to raise the money required to enable the land to be brought under cultivation. The work of financing the societies and carrying on until the return from the land is sufficient to support the families will require close and unremitting attention on the part of an experienced Co-operative Inspector for some years to come. It is accordingly proposed to appoint for a period of one year, in the first instance, an Inspector from 1st January 1926 and to meet the cost involved, viz., Rs. 155, in the current year by reappropriation

Extra cost

	1925-26	1926-27
	RS.	RS.
Recurring	155	805

Recommendation of the Committee. The Committee agreed to the proposal being given effect to in the current year, the extra expenditure being met by reappropriation.

(12) Making permanent the temporary posts of Draughtsmen and Tracers in the Office of the Chief Engineer for Irrigation.

Abstract of the proposal—A temporary staff of seven draughtsmen and three tracers have been continuously employed for over twelve years in the technical section of the office of the Chief Engineer for Irrigation. Mr. Mullings was deputed on special duty to examine the temporary establishments in the Public Works Department. On his suggestion the Government accepted the principle that the minimum staff required in any office based on the normal volume of work done and the additional temporary staff that are continuously employed for ten years and more for reasons of permanent nature should be made permanent. Accordingly it is proposed to make the ten appointments, permanent, with effect from 1st April 1925 and the extra cost in the current year will be met from the sanctioned appropriation under "41 Civil Works."

Extra cost

	1925-26	Ultimate
	RS.	RS.
Recurring	Not known	1,258

Recommendation of the Committee.—The proposal was recommended by the Committee for acceptance.

(13) Additional works at the Lady Willingdon Leper Settlement at Tirumani.

Abstract of the proposal—In February 1925, the Finance Committee approved estimates amounting to Rs. 5,22,248 for the construction of works in connexion with the Lady Willingdon Leper Settlement at Tirumani. Owing to the growth of the Settlement it has been found necessary to undertake certain additional works not originally contemplated. This has

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the effect of raising the total cost by a sum of Rs. 23,470 to Rs. 5,45,718. The details of the additional provision required are as under—

	RS.
(1) Quarters for the Resident Medical Officer ..	15,900
(2) Conversion of the north-eastern observation ward into a ward for children under observation and the construction of a new kitchen for the ward.	1,500
(3) Construction of two latrines for the observation wards	1,200
(4) Construction of temporary sheds	1,960
(5) Dhobikhana	1,910
	<hr/> 23,470

The above works have been found essential and it is proposed to meet the expenditure on them from the savings anticipated in the appropriation of 1.46 lakhs under "41 Civil Works" in connexion with the construction of certain buildings for this settlement, as some of the works will not be carried out this year.

Extra cost.

	1925-26.
	RS.
Non-recurring	23,470

Recommendation of the Committee.—It was observed that since this scheme was first placed before the Committee the cost had risen from about 3 lakhs to nearly $5\frac{1}{2}$ lakhs. The Committee, while recommending this particular proposal for acceptance, expressed its dissatisfaction at the way in which the Medical Department was putting forward schemes for acceptance before they are fully worked out and without a complete estimate of cost, and hoped that in future special care would be taken to see that no scheme was sent to the Committee without a full and complete statement of the whole liability to which acceptance of the scheme would commit the Government.

(14) Electric lighting at Olavakkote Saw Mill.

Abstract of the proposal.—The Chief Forest Engineer states that very large orders are in sight for the Olavakkote Saw Mill, consisting of supply of timber for the buildings in connexion with the Mettur project, furniture for these buildings, oil boxes for the Standard Oil Company and packing cases for the Medical Stores. In order to cope with the increased orders and also to ensure that the mill works at a profit, it is necessary that work should be carried on at nights whenever necessary. For this purpose, the mill has to be equipped with electric light. The cost of the installation is estimated at Rs. 6,500 and can be met from the existing budget provision.

Extra cost.

	1925-26.
	RS.
Non-recurring	6,500

Recommendation of the Committee.—The Committee accepted the proposal. They however desired that an examination should be made of the complaint that the establishment is on too extravagant a scale,

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(15) Permanent retention of the East Tanjore District Court.

Abstract of the proposal.—In 1913 the Hon'ble Mr Justice Phillips investigated the question of the necessity for additional civil courts in the Presidency and came to the conclusion that a Second District and Sessions Court was necessary for the Tanjore district. The Hon'ble Judges of the High Court and the Government examined the question and decided in favour of the proposal. Between 1912 and 1921 there was a steady increase in the work, but in view of the financial stringency, the actual bifurcation had to be postponed till 1921. The Government of India was moved to obtain the sanction of the Secretary of State for the permanent establishment of a Court at Negapatam. At the same time the Government sanctioned the appointment of an additional court on a temporary basis for six months from the 1st April 1921. The sanction of the Secretary of State to the permanent creation of the court was received in May 1922. The Government desired to watch the state of the work in both the districts before giving effect to the sanction and the court is being continued on a temporary basis. In 1923 the Judicial Retrenchment Committee advocated the abolition of the court on the ground that the Sessions work for the whole Tanjore district was light and that much of the miscellaneous work now done by the District Judges could be entrusted to Sub-Judges and District Munsifs. This is not practicable owing to the complicated nature of the Sessions work and to the large number of subordinate courts in the district for the supervision and inspection of which the District Judges have to devote a considerable time. It is accordingly proposed to make the court permanent with effect from the 1st January 1926.

Extra cost.

1925-26.

RS.

Recurring Nil.

Recommendation of the Committee.—The proposal was recommended by the Committee for acceptance.

(16) Employment of an additional Clerk for work connected with education in the Office of the Special Assistant Agent, Balliguda division.

Abstract of the proposal.—There is only one clerk now working in the Office of the Assistant Agent, Balliguda division, and his appointment was sanctioned in 1869 when there were only a few schools in the division. There are at present 231 schools with 393 teachers employed in them. Besides, three supervisors and two deputy inspectors are also working. This has added to the work of the clerk considerably, and he has to deal with the bills of all the schools and to attend to routine correspondence relating to

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appointments, leave and transfers of teachers. It is accordingly proposed to sanction an additional clerk with effect from 4th January 1926, and to meet the expenditure in the current year by reappropriation.

Extra cost.

	1925-26.	Ultimate.
	RS.	RS.
Recurring	100	750

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to temporarily in the current year, the extra expenditure being met by reappropriation. For 1926-27, the Committee desired that the scheme should be brought forward as a Part II scheme.

(17) Making permanent the post of Bio-Chemist in the Medical College, Madras.

Abstract of the proposal.—The appointment of a Bio-Chemist in the Medical College, Vizagapatam, has been sanctioned permanently. A similar appointment in the Medical College, Madras, has been kept on a temporary basis as, at the time the post was created, there was no trained Bio-Chemist in Madras and a specialist had to be recruited from England under a contract for three years. It was then expected that by the end of this period, the specialist would have trained a number of officers of the Madras Medical Service in Bio-Chemistry who would be able to carry on the work after his term of service expired. However, the specialist officer resigned after a period of about a year and a half and his place was taken by a trained officer who was then available in Madras. As the conditions on which the post was sanctioned on a temporary basis previously have now ceased to exist, it is proposed to make the post permanent. The proposal involves no additional cost to the Government.

Recommendation of the Committee.—The proposal was recommended by the Committee for acceptance.

(18) Extensions and improvements to the Women and Children's Hospital, Mangalore.

Abstract of the proposal.—The Mangalore Municipal Council has promised to meet from its funds the cost of site required for the hospital. The extensions and improvements to the hospital were estimated to cost Rs. 41,000 and it was originally intended that Rs. 25,784 should be met from private subscriptions, the balance of Rs. 15,216 being met by Government. The original estimate of Rs. 41,000 has now risen to Rs. 75,000, but detailed estimates are ready only for two items comprised in the scheme, viz., the out-patient dispensary and the operation theatre, the two together costing Rs. 24,000. The public subscriptions now amount to Rs. 27,000. It will therefore be possible for the two works for which estimates are stated to be ready to be carried out from the subscriptions collected. As regards

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the remaining items, it is proposed to ask the Surgeon-General to scrutinize them carefully and to submit the scheme with an accurate estimate of cost as a Part II scheme for 1927-28.

Recommendation of the Committee.—The Committee desired to know exactly what liability this proposal involved and considered that the Local Self-Government department should point out to the Mangalore Municipal Council that in assenting to the work now, the Government were not committing themselves to more than the difference between the original estimates and the amount of subscriptions collected.

II.—PART II SCHEMES.

(1) Additional establishment in the Local and Municipal Branch of the Local Self-Government Secretariat.

Abstract of the proposal—The work in the Local and Municipal Branch of the Local Self-Government Secretariat has of late increased considerably. The factors that contributed to this increase of work are briefly the large number of questions, resolutions and private bills moved in the Legislative Council relating to the constitution of local boards, the consideration of election petitions connected with local bodies, the passing of the Hindu Religious Endowments Act, correspondence relating to the amendment of Acts and Codes, constitution, nomination and elections of members of local bodies and village panchayats, the splitting up of a number of taluk boards and the increasing correspondence in connexion therewith, the provincialization of district board engineers and the revised system of distribution of grants for second class roads and of receipts of a large number of applications for aid towards repair of flood and cyclone damages. The staff needs strengthening by the addition of one Superintendent and three Upper Division clerks. No re-arrangement or reshuffling of the work in other sections is found possible. The additional expenditure in the current year will be met by reappropriation :—

<i>Extra cost.</i>			
	1925-26.	1926-27	Ultimate
	RS.	RS.	RS.
Recurring	680	4,920	8,788

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to in the current year, the extra cost being met by reappropriation, but they did not specify the class as regards 1926-27.

(2) Additional establishment for the Public (X) Section of the Chief Secretariat.

Abstract of the proposal.—The Public (X) Section as at present constituted consists of one Superintendent and one Upper division clerk who are assisted by a stenographer when he is not engaged on his own duties. The work in the section has increased considerably all round, particularly in regard to service matters and communal representation in public services which are

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daily growing in importance ; correspondence arising since the establishment of the Staff Selection Board has also contributed to the growth of work in this section. The need for an additional clerk has been made out.

The extra cost in the current year will be met by reappropriation.

Extra cost.

	1925-26.	1926-27.	Ultimate.
	RS.	RS.	RS.
Recurring	105 (about)	840	1,600

Recommendation of the Committee.—The Committee agreed to the proposal being given effect to in the current year, the extra cost being met by reappropriation ; but they did not specify the class as regards 1926-27.

III.—OTHER SCHEMES.

Revision of the establishment of District Educational Councils.

Abstract of the proposal.—In April 1921 the Government sanctioned an establishment consisting of two clerks on Rs. 30 per mensem and two peons on Rs. 13 per mensem for each of the offices of District Educational Councils in the Presidency. The Government also decided that the establishment, though permanent, was not eligible for pensionary privileges. Subsequent to the issue of the above order, representations were made to Government by Presidents of District Educational Councils for the grant of improved scales of pay to their establishments, principally on the ground that the clerks employed in the offices of District Educational Councils should possess the minimum general educational qualifications required for admission to the public service and that in the case of the head clerk he must have passed the Account Test and be acquainted with treasury rulings and procedure.

For the past 4½ years the clerks in the offices of the District Educational Councils have been drawing the same pay, Rs. 30, and it is now proposed to fix the scale of pay of the head clerk at Rs. 35—60, that of the second clerk at Rs. 30—1—40 and that of the peon at Rs. 12—18 and to reduce the establishment by one peon. The ultimate extra cost for 22 Councils will come to Rs. 3,476 per annum. There will be no extra cost in 1926-27 ; on the other hand there is expected to be a saving of Rs. 587.

	1925-26.	Ultimate.
	RS.	RS.
Extra cost	Nil.	3,476

Recommendation of the Committee.—The proposal was recommended by the Committee for acceptance.

IV.—PAPERS PLACED ON THE TABLE.

The following papers were placed on the table:—

1. G.O. No 3300, Law (General), dated 30th October 1925, sanctioning the establishment of a Subordinate Civil Court at Anantapur for three months.

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2. G.O. No. 3402, Law (General), dated 10th November 1925, sanctioning boarding and clothing expenditure for the children in the Sugali school for depressed classes at Panyam, Kurnool district.
3. Note regarding estimates for water-supply, drainage and sanitary fittings for the buildings of the Medical School and Hospital, Guntur.

FORT ST. GEORGE, }
19th December 1925. }

T. E. MOIR.

(b)

Proceedings of the eighth meeting of the Finance Committee for 1925-26 held on Thursday the 17th December 1925 at 4-30 p.m. at the Cabinet Chamber, Fort St. George.

P R E S E N T :

The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S. (Chairman).

M.R.Ry. C. RAMALINGA REDDI GARU, M.L.C.

„ P. N. MARTHANDAM PILLAI AVARGAL, M.L.C.

„ K. PRABHAKARAN TAMPAN AVARGAL, M.L.C.

G. T. BOAG, Esq., I.C.S., M.L.C.

Mr. V. PANDURANG ROW, Secretary to Government, Development Department, was also present.

SCHEMES FOR INTRODUCTION IN THE CURRENT YEAR

TO BE MET BY SUPPLEMENTARY DEMANDS.

(1) Appropriation for the purchase of a trawler and the engagement of a master fisherman.

Abstract of the proposal.—The subject was considered at the meeting of the Finance Committee on the 12th December 1925—vide item (5) of the Proceedings of the Committee. The Committee adjourned the consideration of this item pending a report from the Development Department whether there was likely to be a market for the increased supplies of fish expected as a result of the proposed deep sea-fishing experiments and whether there was a risk of fishermen being deprived of their traditional occupation. A further note was placed before the Finance Committee explaining the results anticipated and pointing out that there was no danger either of the supply of fish exceeding the demand, or of interfering with the coast fishermen.

Recommendation of the Committee.—The Committee decided that the proposal to move a supplementary demand for Rs. 33,616 should be placed before the Legislative Council in continuation of the original proposals.

[8th February 1926]

**(2) Additional compensation for the land acquired for the
Millet Breeding Station, Coimbatore.**

Abstract of the proposal.—In 1923, 32.59 acres of land in the Telungapalayam village, Coimbatore district, was acquired under section 17 (1) of the Land Acquisition Act for the Millet Breeding Station, Coimbatore, at a cost of Rs. 24,134. On a reference to the Sub-Court against the award passed by the acquiring officer, the award was increased to Rs. 35,625 or by Rupees 11,491. This increase, together with the interest thereon up to 26th December 1925, amounts to Rs. 12,781. It is in the interest of the Government to pay this additional compensation of Rs. 12,781 as early as possible with a view to avoid accumulation of interest. It is accordingly proposed to move a supplementary demand for Rs. 12,781 in the current year.

Extra cost.

	1925-26.
	RS.
Non-recurring	12,781

Recommendation of the Committee.—The proposal to move a supplementary demand for Rs. 12,781 in the current year was recommended by the Committee.

FORT ST. GEORGE, }
19th December 1925. }

T. E. MOIR.

APPENDIX XIII.

[Vide item IV "Communications to the Council" on page 67 supra.]

**List of posts on Rs. 500 per mensem and above created
during the quarter ending September 1925.**

A. PERMANENT.

Department and designation of the post.	Pay per mensem.	Date of creation.	Remarks.
(1)	(2)	(3)	(4)

Medical.

Local Self-Government Department—

	RS.		
Four Professors in the Medical College, Vizagapatam	500—50— 900	1st July 1925	Created in consequence of the opening of the third-year class in the college.

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B. TEMPORARY.

(i) EXTENSIONS OF PREVIOUS SANCTIONS.

Department and designation of the post.	Pay per mensem.	Period of tenure.	Remarks.
(1)	(2)	(3)	(4)

*General Administration.**Public Works Department—*

	RS.		
Assistant Secretary to Government, Public Works Department.	500	For three months from 21st August 1925 to 21st November 1925.	First sanctioned for three months from 21st May 1925 on account of the separation of the Public Works Secretariat from the Chief Engineer's Office

*Administration of Justice.**Public Department—*

Additional Sessions Judge for Coimbatore.	1,500	From 12th September 1925 to 23rd December 1925.
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*Police.**Judicial Department—*

Assistant Superintendent of Police for the East Coast Special Police.	675	From 1st October 1925 to 7th January 1926
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Civil Works.

Executive Engineer for the charge of Kattalai Scheme works.	875	From 14th September 1925 to 31st December 1925.	Originally created for four months from 14th May 1925.
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(ii) TEMPORARY POSTS NEWLY CREATED.

Department and designation of the post. (1)	Pay per mensem. (2)	Period of tenure. (3)	Remarks. (4)
<i>General Administration.</i>			
<i>Public Department—</i>			
	RS.		
Collector and District Magistrate.	2,000	From 31st July 1925 to 10th August 1925.	The Government of India asked that an officer should be deputed to Simla to discuss certain special conditions affecting military cantonments. The Government decided that an official nominated to the Legislative Assembly should discuss the question during the August-September session. He was placed on special duty for a few days to study the problems to be discussed.
Collector and District Magistrate.	2,000	From 11th August 1925 to 17th September 1925.	To replace during the August-September session an official nominated to the Legislative Assembly.
Deputy Secretary to Government.	2,650	From 10th August 1925 to 17th September 1925.	Do.

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B. TEMPORARY—*cont.*(ii) TEMPORARY POSTS NEWLY CREATED—*cont.*

Department and designation of the post. (1)	Pay per mensem (2)	Period of tenure. (3)	Remarks. (4)
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General Administration—cont.

RS

Revenue Secretariat—
Assistant Secretary.

500

Three months
from 1st September 1925

The Temporary Assistant Secretary is employed in examining documents, copies of which have been applied for by a private party, and in supervising the copying of the documents. His pay is met by contribution from the party.

Administration of Justice.

Public Department—

Additional Sessions Judge for the Salem Sessions division.

1,425

Three months
from 20th August 1925.

...

Police.

Judicial Department—
Superintendent of Police.

850 plus
£25
(overseas
pay) up
to 15th
November 1925
and
Rs. 900
plus £25
(overseas
pay) from
16th
November 1925

Three months
from 30th
August 1925.

An officiating District Superintendent of Police was deputed for military training at St. Thomas' Mount for three months. As he would have continued to act as District Superintendent of Police in the regular line, a temporary post of Superintendent of Police was created for the period of training.

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B. TEMPORARY—*cont.*(ii) TEMPORARY POSTS NEWLY CREATED—*cont.*

Department and designation of the post. (1)	Pay per mensem. (2)	Period of tenure. (3)	Remarks. (4)
	RS.		

*Civil Works.**Public Works Department—*

Chief Engineer, Hydro-Electric Development.	2,875 up to 24th September 1925 and Rs. 3,000 from 25th September 1925 plus overseas pay £13-6-8.	Three months from 10th September 1925.
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Electrical Engineer, Cauvery-Mettur project.	1,000	Seven years ..	} Created in G.O. Nos. 967-8 I., dated 7th July 1925. Sanction not given effect to yet.
Engineer in Charge, Stores and Tests, Cauvery-Mettur project.	625 to Rs. 1,375	Two years ..	

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APPENDIX XIV.

[Vide item IV "Communications to the Council" on page 68 supra.]

I

Preliminary report of the Ceded Districts Irrigation Committee.

Our Committee was constituted under the orders contained in G.O. No. 267 I., dated 25th June 1925. The terms of reference to us are as follows:—

(1) To review the existing conditions of irrigation in the districts concerned ;

(2) to report on such small schemes as are worth further investigation ;
and

(3) to advise Government whether it is not desirable to concentrate on large schemes such as the Tungabhadra, etc.

The scope of our inquiry includes the Ceded districts and those taluks of the Madanapalle division which formerly formed part of the Cuddapah district. The time allotted for the submission of our report is only two months. Considering the short period allowed to us for the submission of our report we presume that it was the intention of Government to get our opinion on the Tungabhadra Project mainly—the most important and the most vital of all irrigation schemes connected with the Ceded districts. Our belief in this respect is strengthened by the fact that this latter scheme which has been under consideration for many years is now in a fairly advanced state of preparation and only requires certain important and vital modifications to make it fit for submission to Government for sanction. While therefore the most important part of this, our preliminary report, will deal with the latter project, which comes under the third point of reference to us, we propose also to make a few remarks, covering such information as we now possess concerning the first two points of reference.

First point of reference.—To deal satisfactorily with the question of the existing conditions of irrigation in the districts concerned, it will be necessary for us to consult the local officers of the Revenue, Public Works and Agricultural Departments and also the ryots of the tracts concerned. We are taking action in this respect, but it is hardly likely that we will get all this information, consult available records, and submit a report within the life time now fixed for the Committee.

The largest of the existing irrigation works in the districts concerned are in the Tungabhadra channels and the Kurnool-Cuddapah canal. Concerning the former we may state that their condition and management have formed the subject of repeated complaints to Government from the ryots concerned. As stated already we will be in a position to make our report after consulting the local officers and the ryots concerned. About the question of extension of irrigation under these channels we recognize with thankfulness and gratitude the fact that Government sanctioned recently the necessary works for effecting an extension of irrigation of about 2,000 acres under the Basavanna channel, the Roya channel also benefitting by the above improvements.

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Improvement to and extensions under the Kurnool-Cuddapah canal.—While we are cognisant of the fact that several of the other channels are capable of extension (particularly the Kampli and Siruguppa channels) it is not our intention to recommend these extensions in view of our recommendations concerning the Tungabhadra project, since the latter will command all the lands under the former. Concerning the Kurnool-Cuddapah canal we regret to note that although the question of improving it and extending its irrigation to large new areas in the Kurnool and the other districts has been under consideration now for more than twenty years no definite orders have yet been passed on the estimates concerned. Even for the present commanded area the present discharge is so inadequate that it is generally impossible to meet the demand. Apart from the question of the general inadequacy of the canal supply during the second crop season, which can only be remedied by the construction of a storage reservoir on the Tungabhadra we consider that it is a matter of urgency to increase the carrying capacity of the canal to 3,000 cusecs at the head (the originally contemplated discharge), to enable canal water to be given for the Velgode project and other extensions. We are of opinion that with suitable modifications the Velgode project will satisfy the conditions of a productive public work, and the more so with a storage reservoir on the Tungabhadra. We would also bring to the notice of Government the fact that although the Chepaud, Maidkur and Ukkayapalli projects in the Cuddapah district have been carried out, the actual irrigation realized under these extensions falls very much short of the original anticipated areas. This is due mainly to the fact that the canal supply for considerable periods even in the first crop season falls short of requirements—the supply available for Cuddapah being only what remains after meeting the requirements of Kurnool district and navigation.

Owk Project.—We recommend that the Owk project may lie over till the Sangameswaram scheme comes to be executed; but we are distinctly of opinion that the improvements to the Kurnool canal, the Velgode project and the other extensions referred to above should form parts of the Tungabhadra project as recommended by us below.

What will it cost to take canal water to Cumbum and Badvel taluks?—The ryots of the Cumbum and Badvel taluks have sometimes dreamt of the possibility of taking water from the Kurnool-Cuddapah canal for the irrigation of their taluks. While from such data as we possess at present we are led to consider the proposal to be quite impracticable, we nevertheless think that a very rough estimate should be made of its cost, for the following reasons:—

(1) The storage schemes that we are recommending for execution and for investigation in the above taluks and the Markapur taluk are likely to be costly and unproductive.

(2) The tracts under reference are so barren and the value of water therein is so great that it is quite likely that the interested ryots will be quite willing to pay a very high revenue rate, so as to justify costly schemes.

Second point of reference.—Concerning the second point Government has directed us to report whether in our opinion any small schemes were worth further investigation. We take this to mean that Government desires to know whether in our opinion it will be sufficient to carry out the Tungabhadra project alone for the Ceded Districts or whether we could in addition

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recommend the investigation of other minor schemes of various magnitudes. A perusal of the map prepared by Mr. Mackenzie showing the alignments of the Tungabhadra project canals would make it obvious that several whole taluks and parts of taluks lie entirely outside the commanded area and that in fact about two-thirds of the total area of the districts concerned would remain unaffected by the Tungabhadra project. As a matter of fact the uncommanded tracts are as a rule much poorer, much less fertile and much more liable to famine than the commanded area. It is a fact worth noting that a very large part of the area commanded by the Tungabhadra project canals consists of black cotton soil, where, in ordinary years valuable crops are grown and where the level of prosperity is as a rule much higher than in the uncommanded tracts referred to above. We may compare for instance the black soil areas of Bellary, Adoni, Atur, Pattikonda, Nandyal and Koilkuntla taluks with the comparatively barren and sparsely populated tracts of Rayadrug, Kalyandrug, Anantapur, Dharmavaram and Royachoti taluks. The only means therefore available (omitting the provision of wells and the extension of well irrigation, which are outside the scope of our inquiries) of affording some measure of protection to these barren and unprotected tracts is by the construction of storage works.

A perusal of the maps of the districts concerned will show that they are drained by the Kistna, the Gundlakamma, the Pennar and their tributaries.

Before proceeding to detail the schemes that we recommend for execution or investigation we would like to record our opinion on the general question whether in consideration of the conditions of rainfall and the nature of the protection afforded such schemes in these tracts are worth consideration.

Areas uncommanded by the Tungabhadra project—The very fact that these tracts could derive no benefit from the secure supplies that the Tungabhadra and allied projects would draw from the Tungabhadra and Kistna rivers makes it all the more necessary that we should impound such local supplies as are available for the benefit of these areas. We are aware that in some years such supplies may fail partially or wholly; but by carrying forward a part of the surplus storage of one year on to the next as has been done recently in working out the draw off statements of the Tippyapalam project in Markapur taluk (which is now under execution) we are of opinion that most partial failures can be avoided although it may not be possible to deal with the case of total failure of the rainfall. The great value of these works are dependent on the following considerations:—

- (1) As rainfall is not evenly distributed in any single year they would provide a supply during intervals when there is no rain or when the rainfall is inadequate,
- (2) even in years of scarcity they provide for the cultivation of smaller areas which would otherwise have been lying waste,
- (3) they tend to improve the general prosperity of the cultivator and *pro tanto* to increase his power to resist famine, and
- (4) they tend to improve the supply from wells and streams situated near but not directly connected with the works.

The great protective value of this class of works has been recognized by Government and emphasised by the Irrigation Commission (vide paragraphs 246, etc., Volume 2, Irrigation Commission report). In view of the above facts, we propose the investigation of such works of this class as are found to

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be feasible on general engineering grounds and to recommend the execution of such of these as satisfy the tests laid down in Chapter 4, Volume 1, of the Irrigation Commission report and in the proceedings of the Board of Revenue, No. 134, dated 13th May 1905.

Investigated and uninvestigated works.—The works to be dealt with under this class will be referred to under the two following heads:—

- (1) Works already investigated, and
- (2) Works that have to be investigated in future.

Under works of the first class a number have been kept in abeyance as they affected the Tungabhadra project. In working out the latter project Mr. Mackenzie found that for satisfactory irrigation of the ayacut proposed every drop of surplus water available in the Penner and its tributaries had to be earmarked. The Pullampet project for utilization of the Cheyyeru, the Veligella project for the utilization of the Papagni and the Dorigalla project on the Maddaleru have been kept in abeyance for the above reason. We propose re-examining and revising these schemes making such modifications as we deem suitable for the requirements of upper taluks and submitting them for the sanction of Government provided they satisfy the financial tests prescribed by Government in the orders referred to above. We may note that with the passing of the new Irrigation Act we are at liberty to recommend such revenue rates for irrigation as are found suitable without reference to the existing practice.

Gazaladinne, Gudempad and Krishnapuram projects.—There is yet another class of investigated works which have been kept in abeyance on account of the Tungabhadra project, namely, those that are situated in tracts commanded by the latter. The Gazaladinne, Gudempad and Krishnapuram projects situated in the Kurnool district come under this class. As the tracts where these projects are situated are completely commanded by the Tungabhadra project we do not recommend the carrying out of these at present.

Thokapalli project.—The only other project falling under the investigated class that we recommend for execution is the Thokapalli project in Markapur taluk, the plans and estimates for which are now ready. This has been kept in abeyance pending the passing of the Irrigation Act, so that suitable revenue rates may be fixed. Now that the latter Act has been passed there is no further reason for delaying its sanction. We propose that the project should be revised and sanctioned in due course.

Works not investigated in various river basins.—Under the second class of works, viz., those that require investigation in future we may consider the following rivers and their possibilities of utilization.

1. *The Upper Penner.*—Various projects for the utilization of the Upper Penner have been investigated in more or less detail and abandoned for the reason that a supply sufficient to justify the capital expenditure necessary was not available. Quite recently a scheme for an anicut on the river just below its junction with the Kushavathi with canals on the right and left for supplying the Utukur and other tanks and the Parigee tank was submitted to the Chief Engineer; and it is understood that the Superintending Engineer has been asked to send a proposition statement, for the necessary establishment. There is every hope of this work turning out productive and we recommend its investigation and execution.

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2. *The Chitravathi*.—The main Chitravathi as well as its tributaries which supply the Anantapur and Singanamala tanks are fully utilized and in several years there is no surplus from these tanks and from the Dharmavaram tank. In the Maddaleru however there is a considerable quantity of water which could be utilized for the construction of a reservoir at Dorigallu. This is one of the projects that was ordered to be finally abandoned as the revenue returns were too poor to justify its construction. We are however hopeful that by suitably modifying the scheme and adopting suitable revenue rates, an acceptable famine protective work could be made out. After all the most important point in this case is that a considerable supply of water is available, which ought to be utilized for the protection of one of the worst tracts of Anantapur which lies beyond the influence of the Tungabhadra project.

3. *The Papagni*.—Estimates for a reservoir on the Papagni at Veligallu for the irrigation of the Royachoti tract were prepared in 1905, but ordered to be kept in abeyance as it was considered at the time that all the available supply would be required for the Tungabhadra project. As it is unnecessary any longer to make this reservation of water we recommend that the project should be revised with the adoption of suitable revenue rates and finally dealt with on its merits. We are hopeful that it would be possible to make out an acceptable scheme.

4. *The Cheyyeru*.—The Pullampet project for the construction of a dam at Rayavaram below the confluence of the Bahuda and Pincha Nadhi and another at Gadikota on the Mandavya Nadhi, with an anicut below on the Cheyyeru for diverting the water for irrigating in the Rajampet taluk was prepared but ordered to be kept in abeyance on account of the Tungabhadra project. The Pullampet project would irrigate a tract lying beyond the influence of the Tungabhadra project and we are hopeful that a revised scheme with suitable revenue rates would result in an acceptable project. It might however be noted here that as the Bahuda and the Pincha Nadhi are the chief available sources in the Royachoti, Madanapalle and Vayalpad taluks of the Chittoor district, the possibility of utilizing a portion of the supply in the above taluks requires to be investigated. There are numerous sites for the construction of storage reservoirs on the upper reaches of the above rivers.

5. The Gumdala and the *Pullangi* branches of the Cheyyeru carry considerable surplusses which might be utilized further either for filling existing tanks or by being stored in a separate reservoir for irrigation in Rajampet taluk.

6. *The Sagileru*.—Proposals for a lower Sagileru project for the construction of an anicut on the river were investigated and given up as it was found that there was no water available after meeting the requirements of the Porumamilla tank from the Kalaspad anicut. There is however the possibility of constructing small tanks on streams coming from the western side of the Sagileru valley and running into the lower Sagileru, as there are excellent sites.

7. *The Thigaleru*.—Reference has already been made to the Thokapalli project on the Thigaleru in Markapur taluk. It may be noted here that the Cumbum and the Markapur taluks were definitely excluded from the scope of the investigations under Mr. H. E. Clerk as it was considered at the time that all the available water in the tributaries of the Gundlakamma should be

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reserved for the Gundlakamma project. This restriction no longer exists and Government has recently sanctioned the construction of the Tippyapalem reservoir on the Rallavagu. These two taluks, on account of the peculiar configuration of the hills therein, present remarkable facilities for the construction of storage tanks large and small. There are many excellent sites on the tributaries of the Duvaleru and the Kandleru which have so far not been investigated. We recommend that preliminary estimates for these sites may be prepared and final investigation ordered in due course.

8. *The Hagari or Vedavati.*—Investigations for the construction of an anicut or dam on the river at Bhairavanitippa right on the Mysore border were carried out by Mr. Khareghat when he was Superintending Engineer, III Circle. It was found by gaugings that there were considerable amounts of flood and spring supplies. It seems likely that there would be enough water for irrigating about 30,000 acres in Rayadrug and Kalyandrug taluks provided a suitable site for a reservoir could be found. The Bhairavanitippa site itself is quite suitable for an anicut if suitable storage sites could be found on minor streams below, which could be supplied by canals from the anicut. The site is unsuitable for a reservoir as all the water-spread would be in Mysore territory. The scheme requires further investigation.

9. In connexion with the Chikka Hagari, which falls into the Vadavati in Rayadrug taluk, and the Chinna Hagari which falls into the Tungabhadra in Hospet taluk, a number of small scheme have been proposed from time to time (for the construction of new small tanks and for excavating supply channels to existing tanks) which have been lying in abeyance for want of establishment.

We recommend that a small establishment may be sanctioned for working under the Executive Engineer of the division concerned for preparation of preliminary reports. Such works as are found promising on a preliminary examination may be further investigated and sanctioned in due course.

Third point of reference—The Tungabhadra project.—We consider it unnecessary to narrate here the history of the Tungabhadra project from its earliest stages up to the present time except to note the chief points in its development from stage to stage. Up to the year 1898 all schemes connected with the Tungabhadra were for the construction of an anicut on the river with a canal for irrigation in the Bellary district alone. In 1898 Colonel Baddely submitted a report with a note by Mr. H. E. Clerk suggesting the possibility of constructing a reservoir on the river, the water being utilized not merely in Bellary but also in Cuddapah and Nellore through the Kurnool-Cuddapah canal and also in the Kistna delta. Like the earlier schemes, Colonel Baddely's also was shelved. The next definite stage in the development of the scheme was due to the late Colonel Smart, who, as Chief Engineer for Irrigation, suggested in a note he submitted to the Irrigation Commission the construction of a large storage reservoir on the river, with a canal that was to irrigate not merely Bellary but also Anantapur, Cuddapah, Kurnool, and particularly Nellore district. It may be noted that this was the first time that the idea of irrigation in Anantapur from the Tungabhadra project was definitely suggested. The project as estimated for by Mr. Mackenzie followed exactly along the lines laid down by Colonel Smart. The estimates were completed but shelved under the orders contained in G.O. No. 423 I., dated 2nd October 1909. Several events have come to

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pass and other facts have come to notice since the above orders were passed that make it absolutely necessary for several material modifications of Mr. Mackenzie's scheme to be made before it could be put up to Government for sanction.

(1) *Modifications necessary in Mr. Mackenzie's scheme—New reservoir.*—In connexion with the Sangameswaram scheme for the formation of a reservoir on the Kistna at Sangameswaram, His Exalted Highness the Nizam has stated that he was not prepared to part with any portion of his territories unless British territory of equal revenue producing value was given in exchange. The Government of India on a reference from the Madras Government have, it is understood, stated that they are unable to accept this condition. This means that until the Nizam withdraws this condition it will be impossible to construct any reservoirs on the Kistna or the Tungabhadra which submerge any portion of his territories. Mr. Mackenzie's reservoir at Mallapuram therefore becomes impossible and we are forced in consequence to look for a site higher up the river. Fortunately, in the Honur-Timmalapur reach of the river, about five or six miles north-west of Huvinahadagalli, there are excellent sites for the construction of a large reservoir as the river here flows over dykes of hard trap—very unlike the surrounding formations of rocks of the Dharwar series.

(2) The alteration of the site of the reservoir means necessarily that the canal alignment of Mr. Mackenzie from his reservoir up to Daroji would become impossible, as the main canal took off from the reservoir itself at a high level. In considering, therefore, the new alignment for the main canal, we propose investigating two alternatives—

(a) the line following Gordon's high level line with suitable modifications from the 22nd to 33rd mile; and

(b) a high level line starting from the reservoir at Timmalapur and running along the Papinayakanhalli pass on to the foreshore of the Daroji tank. We find from some recent levels taken that such an alignment looks more favourable than could be inferred from Mr. Mackenzie's remarks on this subject in his project report.

(3) *Branch canal for Anantapur and Dharmavaram taluks.*—Leaving the rest of Mr. Mackenzie's main canal line from Daroji downwards unaltered, we have next to consider the important question of the areas to be brought within the influence of the project in the district of Anantapur. Mr. Mackenzie's canal commands a considerable part of the black soil tracts of Gooty and Tadpatri taluks. Although practically the whole of the Anantapur taluk and a very considerable part of the Dharmavaram taluk could be commanded by the main canal alignment proposed, yet no attempt was made to cross the Penner and take the water on to the areas referred to above, which are very badly in need of protection and which consist largely of soils belonging to the red loam and red sand series. We are aware that the canal alignment here will be as costly as elsewhere, but we consider that it is a vital matter to provide protective irrigation here.

(4) *Exclusion of Nellore*—Another important modification that we consider necessary is the omission of the Nellore part or the lower Penner canal system from the scope of the Tungabhadra project. Our main reasons for this are—

(1) that it is much cheaper to provide water for Nellore from the Sangameswaram scheme than from the Tungabhadra project;

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(2) considering the enormous areas that could be commanded in the Nellore district alone (omitting Chingleput and other districts beyond), the supply available in the Tungabhadra is insufficient to meet the possible demand ; and

(3) the omissions of the Nellore part would mean the releasing of all surplus available in the upper reaches of the Penner and its tributaries for local use, a point to which we attach the greatest importance as affording the only hope of giving protective irrigation to the large areas which lie entirely outside the influence of the Tungabhadra project.

Scope of the Tungabhadra project as proposed by us.—The scope of the Tungabhadra project as contemplated by us, would be as follows :—

- (1) The construction of a reservoir at Timmalapur.
- (2) The main canal will follow Mr. Mackenzie's line except from the head to Daroji, where an altered line will be adopted.
- (3) An important branch canal in the Anantapur and Dharmapuram taluks.
- (4) The Upper Penner canal system and Jammalamadugu canal as estimated for by Mr. Mackenzie.
- (5) Widening the Kurnool-Cuddapah canal and carrying out the Velgode project
- (6) The Pulichintala diversion dam and canal system in Guntur district as estimated for by Colonel Ellis (old Kistna reservoir project).
- (7) Kistna delta extensions as estimated for by Colonel Ellis (old Kistna reservoir project).
- (8) Second crop irrigation will be provided for to the largest extent possible with reference to the maximum amount of storage that could be provided for on the Tungabhadra and elsewhere.

Bellary West Canal.—If the Tungabhadra project as sketched above is accepted a reservoir on the Tungabhadra in the Honur-Timmalapur reach of the river would be absolutely indispensable. Such a reservoir would submerge about 1,200 acres of the ayacut proposed under the Bellary West canal. If therefore the Bellary West canal project for an anicut at Harivibasapuram with a canal running therefrom towards Hospet is carried out before the Tungabhadra reservoir referred to above is constructed, it will be necessary to pay a compensation of about 12 lakhs Rupees for the 1,200 acres of the Bellary West canal ayacut that will be submerged by the reservoir. Under the scheme for the Tungabhadra project recommended by us above, the Bellary West canal, following the same alignment as already estimated for, will start from the reservoir itself and irrigate an extent of 58,500 acres as against 60,000 acres proposed under the Bellary West canal project. We therefore recommend that the latter project should not be sanctioned as an independent scheme but should form a part of the Tungabhadra project as explained above.

Programme of our work.—The programme of work that we contemplate will be as follows :—

- (1) To collect necessary information and send a report concerning the first point of reference.
- (2) (a) To take up for revision and sanction such of the schemes as have already been investigated and which have been kept in abeyance on account of the Tungabhadra project provided we find them fit for reconsideration,

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(b) To prepare preliminary estimates for such small works as are found promising in the Markapur, Cumbum, Badvel, Vayalpad, Madanapalle, Royachoti and Kadiri taluks, as well as for a suitable scheme for utilizing the Vedavati in Rayadrug and Kalyandrug taluks and to send up complete estimates for such of these as are approved provided time permits, and particularly.

(3) To send up complete estimates for the Tungabhadra project as sketched above.

In the proposition statement attached we have noted the minimum establishment that we require to complete the above programme within a period of ten months (in addition to the two months for which sanction has already been accorded). The establishment consists of one Superintending Engineer, one Executive Engineer, three Assistant Engineers three supervisors, thirty sub-overseers (or surveyors) with necessary lascars, clerks and peons.

It will be seen that the proposal is to form three parties each under an Assistant Engineer (with one supervisor and ten surveyors). Two of the parties will be for the Tungabhadra project which will be under the immediate supervision of the Executive Engineer. The other party will work under the immediate orders of the Superintending Engineer and will attend to minor projects. The Superintending Engineer will supervise the work of all the parties, and attend to the work of the Committee—conducting all the correspondence, drafting the questionnaire, examining witnesses and drafting the report, etc.

Of the total amount of Rs 1.43 lakhs, as per proposition statement about Rs. 60,000 will be required this official year (excluding the amount already sanctioned) assuming that the work is started in November. The other items are self-explanatory. It will be noted that under travelling allowance for the Committee we have provided a sum of Rs. 5,000. The Committee will not sit continuously, but will meet from time to time as the estimating work progresses. The Committee will meet at various centres in the tracts affected by the works proposed and take evidence concerning the condition of existing irrigation works and possible extensions, the nature of the crops to be irrigated with reference to the various localities and soils, on the question of double crop irrigation and irrigation in black cotton soils, on the revenue rates proposed and considered suitable, and such other matters as may come up for examination during the progress of our inquiries and investigations. The sum provided for is small and is well worth spending.

Sangameswaram scheme.—It will be noted that in our programme we have not included the Sangameswaram scheme. Government is already aware of the general scope of this scheme and of its importance from the productive and protective standpoints. It will provide irrigation for very large areas in the districts of Kurnool and Cuddapah (which come within the scope of our inquiries) and in the districts of Nellore and Chingleput. The investigation for the site of the reservoir was sanctioned and work was partially completed, and it was stopped on account of the impossible conditions concerning the land submerged demanded by His Exalted Highness the Nizam. We do not believe that any reasonable agreement could be come to in the near future, and we are therefore of opinion that the scheme should be worked out in a form that would not be dependent on the consent of the Nizam. We propose, therefore, that for the present the idea of constructing a reservoir on the

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Kistna at Sangameswaram should be dropped, and that instead a regulator should be built at or near to Kondaprakatur in Kurnool district (Nandikotkur taluk), with a canal and cutting to lead the water into the Kunderu as proposed for the original scheme. We do not think that the reservoir that we have proposed for the Tungabhadra project at Timmalapur will be sufficient to meet the requirements of this scheme as well and we feel sure that additional storage will have to be provided somewhere either on the Kistna (in the Bombay Presidency) or the Ilagari (in the Bellary district) or the Penner (in the Cuddapah district). We consider that this question could be settled only after the investigations for our Tungabhadra project are completed. In our proposition statement therefore we have made no provision for the Sangameswaram scheme and we have not included it in our present programme of work. We shall send a further report on this subject when the investigations now prepared are completed and, if Government so desires then, we shall report on the establishment necessary for completing the investigation of this scheme.

We conclude with the hope that Government will be pleased to accord its approval to our proposals. We are hopeful that the scheme for the Tungabhadra project which we have sketched above will almost satisfy the requirements of a productive public work and that, if it fails to do so, the resulting loss will be so small that Government could still sanction it in virtue of its great protective nature, the resulting savings in future famine expenditure, and the many direct and indirect benefits it will confer on the people. We are not equally sanguine about the financial aspects of the minor schemes we have referred to. We hope to be able to minimise the loss to Government that will result from the execution of these by the adoption of suitable revenue rates, but when all that is possible had been done, we expect that the execution of these schemes will mean a net amount loss to Government. We expect however that this loss will be small, and could be met from the famine insurance grant, in virtue of the protective value of these schemes. During the last hundred years several attempts have been made to solve the problem of famine protection in the Ceded districts by means of protective irrigation; but so far all these have proved infructuous. The history of the districts continues to the present day to be the same as what is now considered ancient history in the case of the great delta tracts of the Kistna and Godavari.

Owing to the general poverty of the soil, over one-half of the cultivable area of the districts is assessed at a rate of 8 annas an acre; in Cuddapah the proportion rises to nearly two-thirds and in Anantapur to three-fourths of the whole area. In the latter district more than one-half of the cultivable area bears a nominal assessment of 2 to 4 annas per acre and in Bellary nearly a third of the area is similarly assessed. More than two-thirds of the landholders pay less than Rs 10 a year to Government for their lands. The disastrous famine of 1876-78 which swept away nearly a third of the entire population has been followed by a succession of unfavourable years and the districts have never had a chance of recovering fully from their effects. The Famine Commission of 1878 remarked that among the means that may be adopted for giving the districts protection from famine arising from drought the first place must unquestionably be assigned to works of irrigation. They pointed out that the true value of these works could not be measured by their financial success considered only with reference to the net return to Government on the capital invested on them, but that account also should be

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taken of the direct protection afforded by them in years of drought by the saving of human lives and the avoidance of loss of revenue remitted and of the outlay incurred in costly measures of relief; while in seasons of average rainfall they were of great service and a great source of wealth giving certainty to all agricultural operations increasing the outturn per acre of the crops and enabling more valuable descriptions of crops to be grown.

On the recommendation of this Commission the Famine Insurance fund was started and was financed from the special taxes imposed in 1878.

In considering the question of the necessity and value of irrigation works as compared with railways, the Famine Commission of 1898 explained that experience showed that on the occasion of the widespread failure of rains railways, however useful and necessary they may be, do not keep down prices to a point at which slight pressure only is felt. So far as they equalized prices they widened the area of scarcity though lessening the intensity elsewhere of famine. Though they bring grains to tracts liable to famine in years of drought they also prevent large accumulation of grains in years of plenty. The Commission also remarked that as the bulk of the revenue and of the special taxes imposed were paid by the holders and occupiers of land and as the State in India is generally in the position of superior landlord, there were special reasons why the Government should undertake without expectation of direct return works peculiarly protective of agriculture such as irrigation works.

It may be said and truly said that the protective value of Irrigation cannot be limited to the saving that may be effected in the future cost of famine relief. The indirect losses to the State due to land going out of cultivation or to the great impoverishment of the people, the losses in excise, customs, salt, stamps, etc., must also be considered; and if these facts are taken into consideration a much higher scale of expenditure may be justified for the sake of saving the inhabitants of these insecure tracts from all the losses and demoralization and miseries of famine. As remarked by the Irrigation Commission it is difficult to propose any limit to the expenditure the State may incur in order to prevent what has been called the scandal of famine. They remarked: "It is not for us to propose any final limit to the expenditure which may be legitimately incurred with this object, in which are involved not only the credit and good name of the State but also the well-being of the millions who in all but the most unfavourable years add to its revenues and to the wealth of the country by the precarious cultivation which they carry on in these unprotected tracts. We cannot but think that the programme which we now put forward will not, if our calculations are even approximately correct, impose an undue burden to the State. But our main purpose is rather to indicate what that burden is likely to be than to offer an opinion as to the limits beyond which the State cannot be expected to go."

As stated already we are hopeful that the Tungabhadra project in the form recommended by us will be a productive work and that the minor works proposed by us will not put on Government an unreasonable burden. From numerous public pronouncements of the responsible officers of Government, we are aware of its anxiety to solve the problem of protective irrigation in the Ceded districts and make them sharers of that prosperity that follows from

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the carrying out of large schemes such as the Tungabhadra project. We hope that Government will now sanction our proposals so that the necessary estimates may be got ready in the shortest time possible, and the schemes sanctioned and put into operation without any avoidable delay.

Proposition statement.

[10 months.]

	Per month.	Total.
	RS	RS.
1 Superintending Engineer	2,150	21,500
1 Executive Engineer	700	7,000
1 Assistant Executive Engineer	400	4,000
2 Assistant Engineers	500	5,000
3 Supervisors	450	4,500
11 Clerks - [1 (100) 100 ; 2 (60) 120 ; 1 (50) 50 ; 2 (40) 80 ; 5 (35) 175 ] . . . . .	...	5,250
Allowance for shorthand typist and typist at Rs. 15 for each . . . . .	...	300
12 peons on Rs. 12 per mensem } . . . . .	...	1,900
3 peons on Rs. 15 ,, } . . . . .	...	...
30 Sub-overseers	3,000	30,000
150 Survey lascars on Rs. 12 for 7 months	1,800	12,600
Travelling allowance for staff	1,200	12,000
Travelling allowance for Committee . . . . .	...	5,000
Works . . . . .	...	25,000
Instruments . . . . .	...	5,000
Stationery . . . . .	...	2,000
Contingencies . . . . .	...	2,850
Total . . . . .	...	1,43,900

* A. RANGANATHAN.

* P. SIVA RAO.

* G. RAMESWARA RAO.

* K. SARABA REDDI.

* K. KOTI REDDI.

* B. P. SFSHA REDDI.

* T. M. NARASIMHACHARLU.

† R. N. AROGYASWAMI MUDALIYAR

22nd August 1925.

(1) Note by Diwan Bahadur P. Kesava Pillai, M.L.C.

Under the first item of reference, the problem of renovating and restoring dilapidated and abandoned village tanks, at least in the Anantapur district, deserve consideration by the Committee. The village tanks form a special feature of many a South Indian district indicating the solicitude and the care with which the people and the authorities in (pre-British) days tried to conserve rainfall to the best advantage wherever possible making villages almost self-sufficient in the matters of irrigation. The value of these storage

* Subject to a separate note.

† President's memorandum later on.

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works, great and small, is not inconsiderable also as a means of steadying springs in the irrigation wells. There is a general belief all over the Ceded districts, if not in the whole Presidency, that with the approaching transition to the cycle of sixty years, there will be an improvement in the rainfall and when the hope is realized, the importance of the village tanks is sure to become still more insistent. The record of work done by the Tank Restoration Scheme party may serve us a useful guide for inquiry in this direction.

2. Under item 2 of the reference, come next in importance, many schemes which have been fully investigated in the Anantapur district, but shelved on the sole ground that they are not productive. These also deserve to be re-examined in the light of observations made in page 6 of the report with a view to select by preference such as what can possibly benefit areas of the district immediately which may not be served by the larger schemes discussed in the same.

3. Such larger schemes as are touched upon under the third item of reference do not seem to benefit the southern part of the district comprising the Penukonda, Hindupur and Madakasira taluks. The anicut across Hagari or Vedavati suggested in paragraph 8 of the report for the benefit of Rayadrug and Kalyandrug taluks may possibly be so designed as to serve Madakasira taluk also, which is more or less contiguous to both, except for a strip of land isthmus across Mysore territory. In this connexion it may be useful to consider the suggestion often advanced in the press, of late, of negotiating with the Mysore Government for Maraikana water to flow into the Madakasira taluk.

4. The possibility of benefiting Penukonda taluk by the proposed anicut below the Kushavati referred to in page 166 may also be explored.

5. In paragraph 2 of page 167, the words 'Anantapur and Singanamala' are perhaps a mistake for 'Bukkha-pattanam and Dharmavaram', the tanks of which are mainly dependent on the Chitravati. The feeders to the tanks in the former places are

No mistake.

R.N.A.—13-9-25.

President, Ceded Districts
Irrigation Committee

other wild streams called Nadimivanka, Rachanapalli vanka, Yerravanka and Pandameru. In dealing with the potentialities of the Chitravati, I would invite the attention of the Committee to the suggestions made in the *Hindu* of the 4th September under the heading "Irrigation facilities in Anantapur district."

6. I would suggest appending to the preliminary report a map showing the region comprising the scope of the Committee's inquiry as also of the surrounding country with the water-courses which are sought to be explored, marking out the sites of the several projects alluded to with alignments traced; yet another suggestion which I would add is to make out a list of projects so far investigated affecting each of the taluks of the districts in the famine zone in the order of their feasibility with reference to cost, and time required for execution, and the measure of advantage to be derived from each.

(2) Note by Mr. G. Rameswara Rao, M.L.C.

While agreeing in general with all that is stated in the report, I would like to emphasize the need for setting on foot some scheme to give relief to Anantapur district, which is the worst portion of the famine zone in the

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Presidency. Here, as stated in the Statistical Atlas of 1913, "more than half of the land revenue is paid by pattadars paying Rs. 30 and under (the percentage being 55.5). The extent of red soil assessed at 6 annas and less comes to 1,600,000 acres out of 1,800,000 acres of red soil lands in the district and as 82,000 pattas pay Rs. 27,000 or say Rs. $3\frac{1}{2}$ to the patta, it is a fair inference that a large population is living on very scanty subsistence. For, land assessed at 6 annas will not yield a profit of more than Rs. 4 an acre, and many of these pattas must contain nothing but this class of land. A.R. 5 patta would thus yield about Rs. 53 a year or about Rs. $4\frac{1}{2}$ a month." Taking each family to contain on an average five persons, each person has to get on on $14\frac{1}{2}$ annas per month or about 6 pies per day. As the greater portion of the soil in this district is red, the ryots would eagerly take advantage of any water facilities that can be afforded as in no event can they reap great advantage from dry crops alone, as owners of black cotton soils may do. So, both from this standpoint of the great need and from the standpoint of the great eagerness and anxiety with which these people are ever awaiting water-supply, no pains can be spared in serving the inhabitants of this tract.

2 Even wet lands are not in a much better position. During the last thirty years, wet cultivation was between 7 per cent and 8 per cent of the cultivated areas. In spite of this small wet ayacut in the decennium ending with 1913, 25 acres of wet land out of every 168 acres could not be sown with wet crops for want of water. In the similar period ending with 1923, the situation was even much worse as 34 acres in every 157 of the wet ayacut had to be sown only with dry crops for the same reason.

3. I have to say a word about the present state of irrigation in this district. The district is mainly irrigated by tanks, in addition to some channels and wells of a minor nature. It is very regrettable to note that there were 1,323 tanks in the decennium ending with 1913 out of which 76 were in disrepair; whereas in the same period ending with 1923, the number is reduced to 1,179 out of which 13 are said to be in disrepair. Thus it is clear that during the interval about 150 tanks are abandoned and thus the few available irrigational facilities have been cut away from the ryot, and nothing has been done to give any other solace by way of substitution for bettering the economic conditions of the agriculturist. The untold hardship thus caused to the ryot can be better appreciated when it is remembered that 75 per cent of the people here live by agriculture.

4 It is therefore absolutely imperative on the State, interested in the well-being of the subjects, to give irrigational facilities to Anantapur at any cost. The proposed Tungabhadra scheme eminently serves this purpose; and no cheap or small scheme, that is likely to clash with this, ought to be countenanced by the Government. For instance, the Bellary West Canal Project may benefit a considerable portion of Bellary district at a much smaller cost, but if it is taken on hand, it clearly clashes with the bigger Tungabhadra scheme and so must be postponed. Further the latter has great advantages over the former (West Canal Project) inasmuch as—

(1) the whole of the area covered by the Bellary West Canal project would be equally benefited by the Tungabhadra project except the 1,500 acres of land which is likely to be submerged by the proposed reservoir;

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(2) the said area has the additional advantage of a practical guarantee of supply of water for the second crop ;

(3) this is the only feasible way of providing water to Dharmavaram and Anantapur taluks which cover an arable area of 8.1 lakhs of acres of red soil, a large portion of which is likely to be commanded by the proposed project ;

(4) the execution of the West Canal project is likely to delay inordinately the Tungabhadra project or at least increase its cost by another Rs. 15,00,000 being the cost of acquisition, as indicated in the report itself.

With the Tungabhadra scheme as the main project I would also suggest that smaller schemes which are quite unconnected with and absolutely independent of the Tungabhadra scheme, must be taken up side by side for the benefit of the areas not within the area commandable by the scheme above referred to. As an instance I would mention Parigee tank reservoir as a feasible project, if an anicut is put up at the junction of the Kushavathi and Penner, and the water stored in the Parigee tank. This tank, I dare say, never irrigated more than half of its estimated ayacut and so it would be very advantageous if it is to be replenished as suggested above. The original Dorigalla project also may be similarly started with suitable modifications. I would reserve mentioning in detail the additional facilities that must be given to encourage the private enterprise of the ryot and restoring breached tanks to a later stage, i.e., the stage of the final report. Here I would only mention in passing that all feasible aids must be given to the ryot in his self-help as suggested on page 106 of Part II of the report of the Irrigation Commission of 1901-03 and sufficient investigations must be made and information kept ready so as to give the ryots expert and technical guidance whenever required by them on the lines indicated on page 55 of Part I of the report of the said Irrigation Commission.

I cannot close without observing that we construed the scope of the Government Order liberally as is seen from the report and the committee requests that the Government may accept their unanimous interpretation without demur in the same generous spirit in which the committee was constituted for the advancement of the economic interests of the famine zone of the Madras Presidency.

(3) *Note by Mr. P. Siva Rao, M.L.C.*

I am strongly of opinion that the original 'Tungabhadra project' with the modifications suggested in the report should be taken up forthwith as this is the only scheme which would benefit the whole of the famine-stricken Ceded districts. If for financial or other reasons it could not be proceeded with, the upper and lower canal projects which are already under contemplation may be started at once for the benefit of Bellary district only and the district of Anantapur may be omitted from the purview of the scheme for the present.

(4) *Note by Diwan Bahadur M. Gopalaswami Mudaliyar Avargal.*

1. While thankful to the Government for including me in the Committee I have to state that I have not been able to attend any of its meetings in August at Madras as my appointment order was received too late for my doing so. A preliminary report drafted by the members who met and

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discussed the subject has been sent to me. I agree with the proposals contained therein. I would also strongly urge that the life of the committee may be extended that it might do a little more practical work and give accurate and feasible suggestions to the Government. An inspection of the localities as they are at present is necessary to facilitate the accuracy and utility of the proposal in general and those in particular. This is more necessary if persons like me who have been co-opted recently are to be of any use in assisting the committee and the Government.

2. There are certain general considerations which will have to be emphasised in order to show the immediate necessity for the carrying out of the great Tungabhadra project with the modifications suggested in the preliminary report :—

(1) Five million people died of famine in 1876–77.

(2) The Ceded districts paid the heaviest toll.

(3) Amounts spent on relief in the Ceded districts alone in 1876–77 was one crore ninety-six lakhs and Rs. 65,000 besides the amount of revenue lost and the mansion fund subscription, etc.

(4) In subsequent years the amounts spent on famine relief are as follows :—

					RS.
(a) In 1891	...	...	...	...	8,18,000
(b) In 1896–97	...	...	...	...	62,93,000
(c) In 1921–22	..	...	...	...	9,40,000

The total for the Ceded districts only comes to nearly 5 crores if remissions and charitable contributions are also taken into consideration.

3. The same state existed in districts like Kistna and Tanjore prior to the introduction of irrigation projects. But now there is no trace of famine in those parts, on the other hand they are the foremost districts in affluence.

4. The question of irrigation cannot therefore be looked upon as mere lucrative investment. At the initial stages it may not pay, but it is bound to pay in the long run.

5. Though higher authorities have emphasised these facts even at the risk of repetition I beg to draw attention to these points as we in Bellary districts are the worst sufferers. For successive years rains have failed. The impoverishment of the ryot have become proverbial. The discontent that prevails among them is almost indescribable and they are easily led to believe that the Government is completely apathetic. Even now as I am writing this though we are in the middle of September we have had no rains. The first crop has entirely failed and there is hardly much chance for a good second crop. The scarcity of water for drinking both for men and animals beggars all description.

6. I am for the starting of the big Tungabhadra project and for concentration of all the resources of the Government on carrying it out. If for any considerations the Government disagrees with me, then I will suggest the immediate carrying out at least of what is known as the West Canal Project in the Bellary district. The labours of the committee may be availed of presided over as it is, by one who has intimate knowledge of this and other projects to have a fuller investigation made of all the proposals and have

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them ready for execution as funds are made available. Now that the Government have awakened to the sense of responsibility of improving the agriculture of the country as given expression to by the present Secretary of State for India in Council, the time is most propitious and the present regime of the present provincial government will have an excellent opportunity of laying the foundation for the carrying out of these schemes and thus memorialise itself.

(5) *Note by Mr. A. Ranganatha Mudaliyar, M.L.C.*

I just refer to the resolution which I moved in the Legislative Council on 6th February 1923 that the Government should be requested to take special steps to improve the irrigation resources of Bellary and the neighbouring districts comprised in the famine zone of the Madras Presidency and the debate thereon as, in the course of his reply, the Hon'ble the Law Member was good enough to admit that a strong case had been made out for my proposition in the following words "It is undoubtedly a fact that famines are a feature of the district. It is also an admitted fact that these famines are largely the result of deficient rainfall and that one of the remedies lies in the improvement of irrigation facilities; and there is no gain-saying this that the Government and the people stand much to gain by the initiation and execution of irrigation improvements." Truly, the moral and economic effects which are bound to accrue as the result of adequate protection of these areas from periodical famines cannot be overestimated and the Government would justly expose themselves to severe criticism if they delay any further the initiation and execution of the Tungabhadra and other projects by which not merely the people but the Government stand much to gain.

During the course of discussion at our meetings it came out that if Anantapur district is left out of the scope of the Tungabhadra project, the cost of the scheme might become appreciably less than it would be otherwise, with possibly proportionate increase in the return also. Thus, the West Canal project, the investigation of which has been completed, and which is estimated to cost about a crore of rupees, will command 80,000 acres and easily give a return of 8 per cent. So also, the East Canal project which will benefit the eastern taluks of the Bellary district may be found, in all probability, to give a better return than the more comprehensive Tungabhadra scheme. But the Government would be wanting not merely in common humanity but in a sense of their elementary duty to the people, if they allowed such considerations to prevail and leave out Anantapur district. Nothing but an engineering impracticability can, in my opinion, justify such an exclusion. If, as the result of the further investigation recommended by us, it is not found feasible to include Anantapur district in the Tungabhadra scheme, I would strongly urge that, without wasting further time, the Bellary East and West canal projects should be put on hand at once and completed and other likely schemes investigated for the benefit of Anantapur district.

One other submission, I have to make. There are portions of Bellary and Anantapur districts which cannot, in any case, benefit by the Tungabhadra project, however comprehensive a form it may take. And, I see, absolutely, no reason whatsoever why there should be any delay in the initiation or execution of the schemes likely to benefit these unfortunate areas. I know that some of them are even of a remunerative character and the people concerned

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are most anxious to assist the Government with land, labour or money as the case may be. Speaking for Bellary district, the people of Balehalu, Hadagalli taluk, have been asking, for long, for a channel to their tank from the Chinna Hagari river. The river has a very good fall and can be utilized, with advantage, to assume a supply for a group of tanks and so, at least one wet crop for a number of villages and these schemes are held up, apparently for want of appointment of a supervisor on Rs 100 or 150 to prepare the necessary plans and estimates. Similarly, the Arsikeri tank of Harpanahalli taluk might be improved and, surely, the Government cannot grudge Rs. 60,000 if, thereby, they are going to bring in an additional ayacut of 2,000 acres. A preliminary report has been sent in this and, I believe, a few other cases but there the matter rests. The existing establishment is insufficient to proceed further in the matter and the Government have not yet deemed it fit to sanction a comparatively inexpensive establishment to complete the detailed investigation and prepare plans and estimates. I beg that proposals might be called for as to what establishment is needed and that they be approved. Byravani Tippa project in Rayadrug taluk is another which is independent of Tungabhadra project and deserves serious consideration at an early date.

30th September 1925.

A. RANGANATHAM.

II

Note by the Chief Engineer for Irrigation.

I have ascertained from Mr. Arogyaswami Mudaliyar that the separate notes which each Member of the Committee proposes to put in (see the letter covering the report) have not yet been received by him, so I am noting on the report without awaiting them.

1. Briefly summarized, the Committee's recommendations are :—

(a) The several smaller schemes referred to in the body of the report should be re-investigated.

(b) The modified Tungabhadra scheme should be investigated at once and estimates prepared.

(c) The Bellary West Canal project, recently submitted to Government for sanction should be dropped.

(d) The Kistna (Saugameswaram) project should be dropped.

2. The prospects of irrigation in the Ceded districts have been under re-examination during the last 18 months. The position in that area is well known. We have, as possible sources, the two great rivers, Tungabhadra and Kistna; the smaller rivers and streams; and finally well irrigation. The two great rivers together command a considerable proportion of the area. As regards supplies, they contain a considerable amount of flood water which can be made available only by storage, and a certain amount of normal flow in the south-west monsoon which is still available for extension of single crop irrigation. The supplies available in the Kistna are better than those in the Tungabhadra. As their catchments lie outside the area of deficient rainfall these rivers are not affected by the conditions which result in scarcity in the famine zone.

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As regards the smaller rivers and streams, their catchments lie with few exceptions in the scarcity area and are therefore unreliable. As regards wells, they are of course reliable wherever subsoil supplies exist.

3. In considering and dealing with the possibilities, during the last 18 months, the following principles have been followed. —

(a) In the circumstances existing in an area of this kind, and subject to financial possibilities, direct receipts are not the only or principal considerations.

(b) Even if a project directly benefits only a small area in the districts it indirectly benefits the whole, since increase of prosperity and the production of food supplies in one portion reacts on the neighbouring areas.

(c) Where there are several projects of equal benefit to the area, some of which are likely to pay their way and some are not, the former should be taken up first, though not to the complete exclusion of the latter. The development of the former assists the financing of the latter, since in the aggregate the loss is reduced or wiped out.

(d) The projects which can be most quickly completed and brought into operation should be given first place.

(e) It follows from (d) that smaller projects should not be pigeon-holed pending the development of larger projects.

4. I entirely disagree with the Committee's proposal that the Kistna (Sangameswaram) project should be shelved. This project will cover a very large area in the Ceded districts and will, in fact, go far to solve the problem. The length of new canals and channels required is relatively small, and the project, while it commands a large area, is likely to be directly remunerative. It involves a heavy capital investment (roughly estimated at Rs. 2,175 lakhs for the full scheme), but, subject to an agreement with Hyderabad, which now appears quite likely, the project should be investigated in detail as soon as possible.

5. The Tungabhadra project was, as Government is aware, recast and revised last year in an attempt to make it financially possible. The result showed, as a result of the very great rise in working rates since the project was first framed, a very heavy loss on revenue account at normal rates, and in view of the very large capital expenditure involved and the apparent annual revenue deficit of some 50 lakhs it was impossible to advise Government to proceed with the project as framed.

The principal difficulties in connexion with this project are the very expensive main canal involving heavy rock cutting, and the fact that it provides almost entirely for the protection of dry crops which will not stand such high rates as wet irrigation.

It appears likely that a realignment and the adoption of a higher site for the reservoir might reduce the cost, but I do not think the project could ever be made to pay its way in direct receipts.

6. I would recommend that the Tungabhadra (project) be investigated, but as the Kistna and Tungabhadra projects overlap to some extent, I recommend that the two be investigated together, under one controlling officer, in order that the two projects may be co-ordinated to the best advantage, and as the

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Kistna project is likely to prove directly remunerative, and its development will assist Government to meet the financial loss on the Tungabhadra, I recommend that the development of Kistna project shall stand first on the programme.

7 I strongly disagree with the Committee's proposal that the Bellary West Canal project be dropped. I understand from Mr. Arogyaswami Mudaliyar that at least one of the separate notes which are being submitted by members of the Committee embodies a protest against this proposal.

I pointed out to Mr. Arogyaswami Mudaliyar that his estimate of 12,000 acres under the Bellary West Canal to be submerged by the Tungabhadra Reservoir was wrong, and it has since been corrected. The area which would be submerged would be about 1,200 to 1,400 acres, and a portion of this at least could be protected by a flood bank. The reasons why I disagree with his proposal are summarized in paragraph 3 (b), (c), (d) and (e) of this note. The Bellary West Canal has the unusual characteristic (for a project in this area) of giving a high rate of direct return on the capital and the advantage that it can be completed quickly, and I recommend that it be proceeded with as soon as possible. The Tungabhadra will be a difficult project to execute and will take a long time to complete. If finances permitted I should recommend the simultaneous construction of the Kistna and Tungabhadra but in view of the very large amounts involved it may not be possible to do this, in which case the Kistna, which can be brought into operation in a shorter time than the Tungabhadra, should come first, for the reasons indicated in paragraph 3.

8. (a) Kurnool-Cuddapah canal
- (b) Velcode project.
- (c) Owk project.

These projects really require storage to prove quite satisfactory (b) and (c) have been regarded as part of the Kistna project. I think it is probable that the first development of the Tungabhadra scheme will be as a storage on the Tungabhadra to provide water for second crop and extension of first crop under the Kurnool-Cuddapah canal and other channels from the Tungabhadra, of which there are great possibilities, and in this case it would probably pay its way. But I consider, as indicated above, that the Tungabhadra and Kistna projects should be investigated as a comprehensive scheme, which would include all these supplementary projects. If it is found possible to put in hand any of the supplementary projects in advance of the main scheme this should certainly be done, but they should be arranged as part of the comprehensive scheme.

9. As regards the smaller detached schemes dealt with in the report.

Papagni and Pullamjet projects.—Gaugings are being taken to determine the sufficiency of water. If the gaugings show sufficient supply they should be taken up.

Thokapalli project.—This is a 16-lakh estimate for a tank with an earth bund on the Thigaleru stream which has a catchment in the Nallamalai hills, with an ayacut of 8,000 acres of wet cultivation in Markapur taluk. It was shelved in 1923 pending the passing of the Irrigation Bill. I do not see any

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reason why a project of this kind should be dependent on the Bill. If water can be provided and the soil is suitable there can, I think, be no doubt that water for wet irrigation will be taken readily in any area in the Ceded districts at the higher rates which now have to be charged. This is one of the projects which have recently been examined but with so much work in hand it has not been possible to complete it. I recommend that it be completed.

Upper Penner (paragraph 1 of the report—"Works not investigated in various river basins").—The proposal is to construct an anicut on the Penner below the junction of the Kumu lavalli with channels to supply a chain of existing tanks. The possibilities were examined last year. Roughly estimated cost 4 lakhs. It is quite a promising scheme. The Superintending Engineer was asked in No. 774-21/A-2, dated 13th November 1924, to prepare and submit estimates for administrative sanction. The Superintending Engineer reported recently that the report was ready in July last and the revenue figures are awaited.

Dorigallu project.—This was estimated in 1909 at 18½ lakhs to irrigate 5,000 acres single crop and at the rates then adopted it would have paid 0·6 per cent on capital. (G.O. No. 252 I, dated 15th June 1909.) At present rates it would cost probably 27 lakhs and if the water rates were doubled it would pay about the same. The project was abandoned in 1909 as it was financially below the standard of a protective work and as most of the work was masonry it was not suitable for a famine work.

Gundala and Pullangi branches of the Cheyveru (paragraph 5 of the report).—The Superintending Engineer, Madras Circle, may be asked to report on these proposals. They would be small works.

Tributaries of the Duvveru and Kundluru (paragraph 7 of the report).—The Superintending Engineer, Madras Circle, may report on these. They would be small works.

The Hagori (paragraph 8 of the report).—This has been under consideration recently. The difficulty lies in finding a suitable site for a reservoir. It should however be investigated. It would be of no use without storage.

Small works referred to in paragraph 9 of the report.—These are ordinary small works. The Superintending Engineer may be asked to report.

10. *Omission of Nellore from the Tungabhadra scheme (paragraph 4 of the report regarding the Tungabhadra Project).*—This was tried when the Tungabhadra project was recast last year. The effect was to render the project less remunerative than before, but as stated in paragraph 6 of this note, the Tungabhadra and Kistna projects should be investigated and considered together.

11. As regards well irrigation, the Committee have considered this as outside their terms of reference.

There are undoubtedly areas in the Ceded districts where sub-soil supplies are available.

I have started a preliminary investigation into the possibilities of well irrigation in groups with electric drive from small central generating plants. Some investigation has already been done in Salem district in consultation

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with the Director of Agriculture, and the prospects of this system in areas where sub-soil supplies are available, worked on a systematic basis, are undoubtedly good.

Collectors and Superintending Engineers have been asked to send in preliminary information. Where these systems were within reach of power from hydro-electric schemes they would be supplied from the main power lines as soon as these come along, but sufficient information is available to show that the system is very promising whether the groups obtained power from hydro-electric sources or not.

12th September 1925.

P. HAWKINS,
Chief Engineer for Irrigation.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 9th February 1926.

The House met at 11 o'clock, Mr. President (the hon. Mr. M. RUTHNASWAMY, M.A., Bar-at-Law) in the chair.

PRESENT:

Ramaswami Ayyar, K.C.I.E., The hon. Sir C. P.
 Marjoribanks, C.S.I., C.I.E., The hon. Mr. N.E. Usman Sahib Bahadur. The hon. Khan Bahadur Muhammad.
 Moir, C.S.I., C.I.E., The hon. Mr. T. E. Raja of Panagal, The hon. the Patro, Kt., The hon. Rao Bahadur Sir A. P. Sivagnanam Pillai, Kt., The hon. Diwan Bahadur Sir T. N.
 Abbas Ali Khan, Mr.
 Abdul Wahab Sahib, Mr. M.
 Abdulla Ghatala Sahib, Mr.
 Adinarayana Chettiyar, Mr. T.
 Anjaneyulu, Mr. P.
 Appavu Chettiyar, Mr. D.
 Ari Gowder, Mr. H. B.
 Arpudaswami Udayar, Mr. S.
 Arumuga Nadar, Mr. P. K. S. A.
 Bhanoji Rao, Mr. A. V.
 Biawanath Das Mahasayo, Sriman.
 Boag, Mr. G. T.
 Chidambara Nadar, Mr. A.
 Cruz Fernandez, Rao Bahadur.
 Devendrudu, Mr. N.
 Ellappa Chettiyar, Rao Sahib S.
 Ethirajulu Nayudu, Diwan Bahadur P. C.
 Evans, C.S.I., I.C.S., Mr. F. B.
 Gangaraju, Mr. M.
 Ghouse Mian Sahib, Mr. Muhammad.
 Gopala Menon, Mr. C.
 Gopalan, Rao Sahib P. V.
 Guruswami, Mr. L. C.
 Haji Qasim Sahib Bahadur, Khan Bahadur Haji Abd-ul-lah.
 Hegde, Mr. Naganna.
 Kesava Pillai, C.I.E., Diwan Bahadur P.
 Khadir Mohiddin Elyas Khan Sahib, Mr.
 Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.
 Koti Reddi, Mr. K.
 Krishnan Nayar, Diwan Bahadur M.
 Krishna Rao Pantulu, Rao Bahadur A. S.
 Krishnaswami Nayudu, Rao Bahadur K.
 Kuppuswami, Mr. J.
 MacDougall, Kt., Sir Alexander.
 Madanagopel Nayudu, Mr. R.
 Madhava Raja, Mr. V.
 Madurai. Honorary Lieutenant.
 Marakkayar Sahib Bahadur, Khan Bahadur V. Hamid Sultan.
 Marthandam Pillai, Mr. P. N.
 Maruthavanam Pillai, Mr. C.
 Moidu Sahib, Mr. T. M.
 Murugappa Chettiyar, Diwan Bahadur A. M.
 Muttayya Mudaliyar, Mr. C.

Muttayya Mudaliyar, Mr. S.
 Muttu Chettiyar, Mr. P. C.
 Narasimha Raju, Rao Bahadur C. V. S.
 Narayanan Nambudiripad, Rao Bahadur O. M.
 Narayanaswami Pillai, Mr. T. M.
 Natesa Mudaliyar, Rao Bahadur C.
 Noyce, C.S.I., C.B.E., I.C.S., Mr. Frank.
 Obalesappa, Mr. B.
 Pandrang Row, Mr. V.
 Pantulu Ayyar, Mr. V.
 Peddiraju, Mr. P.
 Prabhakaran Tampan, Mr. K.
 Raghuchandra Ballal, Mr. K.
 Raja, Rao Bahadur M. C.
 Raja of Ramnad.
 Rajan, Mr. P. T.
 Rajappa, Mr. P. S.
 Ramachandra Reddi, Mr. B.
 Raman, Rao Bahadur P.
 Ramachari, Rao Sahib K. V.
 Ramalinga Chettiyar, Rao Bahadur T. A.
 Ramalinga Reddi, Mr. C.
 Ramaswami Mudaliyar, Mr. A.
 Rameswara Rao, Mr. G.
 Ranganatha Mudaliyar, Mr. A.
 Ross, Mr. Thomas McKenzie.
 Sagaram, Mr. P.
 Saldanha, Mr. J. A.
 Sami Venkatachalam Chetti.
 Samuel, Mr. J. D.
 Sathibhushan Kath Mahasayo, Sriman
 Satyamurti, Mr. S.
 Saturasnam Ayyar, Mr. M. R.
 Sitarama Reddi, Mr. K.
 Srinivasa Ayyangar, Mr. R.
 Srinivasan, Rao Sahib R.
 Subbarayan, Dr. P.
 Subramania Pillai, K. Chavadi.
 Sundaramurti, Rao Sahib P. V. S.
 Suryanarayanamurti Nayudu, Diwan Bahadur K.
 Tangavelu Pillai, Rao Sahib T. C.
 Uppi Sahib, Mr. K.
 Veerian, Mr. R.
 Vellingiri Gounder, Mr. V. C.
 Venkatachala Padayachi, Mr. K.
 Venkatapati Razu, Mr. P. C.
 Venkataramana Ayyangar, Mr. C. V.
 Venkatarama Sastri, Mr. T. E.
 Venkatarreddi Nayudu, Kt., Rai Bahadur Sir K.
 Windle, Capt. E. G.
 Wood, Mr. C. E.
 Zamindar of Kallikota.

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I**NEW MEMBER.**

Mr. FREDERICK BUISSON EVANS, C.S.I., was sworn in.

II**QUESTIONS AND ANSWERS.**

[Order made by the President of the Madras Legislative Council under Standing Order No. 15 on the 4th December 1924--

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpellator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question-time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.**Agriculture.**

Leave to students of the Coimbatore Agricultural College.

* 1286 Q.—**Mr. T. ADINARAYANA CHETTIYAR**: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Principal of the Agricultural College, Coimbatore, recently issued a notification stating that no leave could be granted to the students of the college for religious or private functions and that such ceremonies and functions should be postponed to the holidays;

(b) whether Government are aware that shradhas and religious ceremonies of Hindus cannot be postponed to the college holidays; and

(c) whether Government propose to cancel this notification?

A.—(a) & (b) Yes.

(c) The notification has been withdrawn.

Education.

Linguistic test for Deputy Inspectors.

* 1287 Q.—**Mr. T. ADINARAYANA CHETTIYAR**: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that recent proceedings of the Director of Public Instruction have made it obligatory on the part of Deputy Inspectors of Schools who took up Sanskrit in their college course to pass in two vernaculars to complete the Deputy Inspectors' Test;

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(b) whether it is a fact that increments of salary are being stopped in the case of those Deputy Inspectors who have not passed in two vernaculars; and

(c) whether there has been a widespread agitation on the part of the Deputy Inspectors of Schools for the abolition of the linguistic test?

A.—(a) It has been compulsory for all Deputy Inspectors of Schools to pass in two vernaculars since September 1923 unless they were partially exempted therefrom by having passed in a vernacular in their B.A. Degree Examination

(b) Yes.

(c) The Government are not aware of any widespread agitation on the part of the Deputy Inspectors of Schools for the abolition of the linguistic test. In January 1925 the Director of Public Instruction reported that the Non-Gazetted Educational Officers' Association suggested that the test might be abolished. The Government were not able to accept the suggestion of the association. They have, however, reduced the standard of the test from that required for the languages under 'C' group of the Secondary School-Leaving Certificate scheme to that laid down for vernacular composition and translation under group 'A' of the scheme. The Government understand that the Non-Gazetted Educational Officers' Association made a further representation to the Director of Public Instruction requesting that the test might be abolished and that the increments might be restored to the officers from whom they were withheld for failure to pass the test and that he informed the association that he was unable to recommend the abolition of the test.

MR. T. ADINARAYANA CHETTIYAR —“ Sir, is it not a fact that the Deputy Inspectors of Schools are asked to pass in two vernaculars to complete the Deputy Inspectors' Test and will it not work hardship in cases where the Inspectors took up Sanskrit as their vernacular in their college course? ”

The hon. Rao Bahadur Sir A. P. PATRO.—“ I do not think how it arises.”

MR. T. ADINARAYANA CHETTIYAR :—“ If a man has taken Tamil as his vernacular in the college course and if he is asked to pass say, in Telugu, in the Deputy Inspectors' Test it is one thing. Whereas if a man who has taken Sanskrit in his college course is asked to pass Tamil and Telugu in the Deputy Inspectors' Test it is a special hardship to him.”

The hon. Rao Bahadur Sir A. P. PATRO.—“ One of the vernaculars is his mother tongue. There is no difficulty in passing the same in a departmental examination.”

Pay of attenders in the office of the Deputy Inspectors of Schools.

* 1288 Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that attenders in the offices of the Deputy Inspectors of Schools get a salary of Rs. 12 to Rs. 18 per mensem;

(b) whether it is a fact that peons in the office also receive a similar pay;

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(c) whether it is a fact that attenders are drawn from educated classes ;

(d) whether Government are aware that in many cases these attenders are doing the work of clerks ; and

(e) whether Government have in view any proposals to make the pay of the attenders adequate to their duties and qualifications ?

A.—(a) & (b) Yes.

(c) Most attenders know to read and write.

(d) Attenders are reported to be doing, in many cases, scriptory work of a purely routine nature.

(e) No.

Collection of full school fees from some Adi-Dravida students.

* 1289 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Education be pleased to state whether the Government are aware that full school fees are levied by the school authorities from the following poor Adi-Dravida students though they are declared to be poor students :—

(1) T. N. Chengiah, III Form, Adi-Dravida, Madras Christian College school,

(2) T. N. Kattiah, I Form, Madras Christian College school, and

(3) Shanmugham, Adi-Dravida, I Form, Rao Bahadur C.C.C. High School, Perambur ?

A.—Yes. The Government understand that neither the first two pupils nor their parents declared themselves as Adi-Dravidas and applied for the usual half-fee concession. The third pupil was not granted the concession as he did not produce a certificate of poverty in proper form.

Mr. R. VEERIAN :—“ With reference to the answer given to this question, I may say that I recommended one of the pupils mentioned here and he belongs to the depressed classes. I want to know how the Government have come to understand ‘ that neither the first two pupils nor their parents declared themselves as Adi-Dravidas and applied for the usual half-fee concession ’.”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The department made inquiries in the matter.”

Mr. R. VEERIAN :—“ May I know whether the hon. the Minister in charge will be kind enough to place the papers on the Council table ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The matter is under correspondence now.”

Mr. R. VEERIAN :—“ May I know whether the headmaster or the correspondent of the school usually grants the concession ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I am afraid I cannot answer that question without further inquiry.”

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Excise.

Representatives of local bodies on the Excise Advisory Committees.

* 1290 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Education be pleased to state—

(a) whether his attention has been drawn to the fact that several local bodies have refused to elect representatives to the Excise Advisory Committee on the ground that their proposals are not seriously considered or accepted ;

(b) what action the Government propose to take in the matter ; and

(c) if no action is to be taken, the reasons why ?

A.—(a) A few cases in which local bodies have refused to elect representatives have come to the notice of Government.

(b) & (c) The constitution and powers of the Advisory Committees form one of the subjects dealt with in the Report of the Excise Advisory Committee which has been placed before the Legislative Council.

Sale of opium since 1910.

1291 Q.—Mr. B. VENKATARATNAM : Will the hon. the Minister for Education be pleased to state the quantity of opium sold for consumption in each of the taluks of the East and West Gōdāvari districts during each of the following years :—1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923 and 1924 ?

A.—The appended statement^a gives the information as far as it is available.

Local Boards and Municipal Councils.

Effect of the Government Order requiring presidents of local bodies to maintain accounts in English.

* 1292 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the attention of Government has been drawn to G.O. No. 1453, L. & M., dated 23rd July 1921, requiring presidents of union boards to correspond with the heads of departments in the English language and also to keep the union boards' accounts in English ;

(b) whether the presidents of several union boards are not acquainted with English ; and

(c) what steps the Government propose to take to remedy the hardship and evils arising from their Government Order in consequence ?

A.—(a) The hon. Member apparently refers to G.O. No. 1423, L. & M., dated 23rd July 1921. This order applies to all local bodies and refers to the main accounts only and not to all accounts.

(b) The Government have no exact information ; but it is probably the case that some presidents of union boards are not acquainted with English.

(c) The Government have no reason to believe that any hardship is caused and do not therefore propose to take any action.

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Mr. T. ADINARAYANA CHETTIYAR :—" With reference to the answer contained in clause (b), is it possible that some of the presidents of union boards do not at all know English ? "

The hon. the RAJA OF PANAGAL :—" It is quite possible."

Mr. T. ADINARAYANA CHETTIYAR :—" Is it also a fact that correspondence with heads of departments has to be conducted in English ? "

The hon. the RAJA OF PANAGAL :—" It is the main correspondence that has to be conducted in English."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know what the difference is between main correspondence and ordinary correspondence ? "

The hon. the RAJA OF PANAGAL :—" The former means correspondence intended to reach the Government."

Mr. T. ADINARAYANA CHETTIYAR :—" In the answer given in clause (c) it is stated 'The Government have no reason to believe that any hardship is caused and do not therefore propose to take any action'. Is it not a fact that many of the presidents of union boards do not know English and they are at the mercy of their clerks for conducting the correspondence in English, thus running a very great risk. I think the passing of this Government Order would have led to many complaints from the public."

The hon. the RAJA OF PANAGAL :—" There have been no complaints "

Mr. K. KOTI REDDI :—" Is it not a fact that not only presidents of union boards but also presidents of district boards are ignorant of English ? "

The hon. the PRESIDENT :—" Order, order. We are only concerned with presidents of union boards."

Mr. S. SATYAMURTI :—" In view of the answer given in clause (c), and in view of the statement made by the hon. the Minister that several of these gentlemen may not know English, may I know what the Government mean by saying that 'they have no reason to believe that any hardship is caused and do not therefore propose to take any action' ? Is it assumed that ignorance of language does not cause hardship ? "

The hon. the RAJA OF PANAGAL :—" I really do not understand what hardship would be caused if a man does not know English. In any case, a man who does not know English is not debarred from standing for election."

Sriman SASIBHUSHAN RATH Mahasaya :—" May I ask the hon. the Minister in charge to secure the exact information so that it may be known whether ignorance of the English language causes any hardship or not ? "

The hon. the RAJA OF PANAGAL :—" I do not think any good purpose will be served by calling for the information."

Mr. S. SATYAMURTI :—" I am sorry my question was not understood. I will put it in another form. The answer given in clause (a) is 'This order applies to all local bodies and refers to the main accounts only and not to all accounts.' I am asking the hon. the Minister whether in the case of presidents of union boards the fact that they may not know English—the language in which these documents are to be kept—does not cause any hardship for this reason, namely, that the presidents may have to get the work done by others, and have to check it themselves. In such a case I wish to know what the Government proposes to do."

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The hon. the RAJA OF PANAGAL :—" I quite realize the point. They can only ask their clerks to interpret the accounts to them. In any case it is a matter for the electorate to consider whether it would be advisable for them to have presidents who may or may not know English."

Mr. S. SATYAMURTI :—" May I know the reason why the Government want that these records should be kept in English ? "

The hon. the RAJA OF PANAGAL :—" The records are not kept in English. The answer given clearly states ' the main accounts are kept in English '."

Mr. S. SATYAMURTI :—" May I ask the reason why the main accounts are kept in English ? "

The hon. the RAJA OF PANAGAL :—" Because it is the State language."

Mr. C. V. VENKATARAMANA AYYANGAR :—" The Government say that ' the main accounts only are to be kept in English '. Is it not possible to keep those main accounts in the vernacular and translate them into English ? "

The hon. the RAJA OF PANAGAL :—" The matter has not been considered. But this much I can say, that it would involve a heavy expenditure to the Government, because there will have to be a department for translating these accounts and correspondence into English so that they may reach Government, whenever necessary."

The RAJA OF RAMNAD :—" Is it not a fact that an illiterate can be a president of local board as the law stands at present ? "

The hon. the RAJA OF PANAGAL :—" They can be made presidents."

Mr. K. KOTI REDDI :—" May I know where it is laid down that English is the State language and vernaculars are non-State languages ? "

Mr. A. RANGANATHA MUDALIYAR :—" Is the hon. the Minister aware that the Chairman of the Yellamanchilli Union Board is an illiterate gentleman ? "

The hon. the RAJA OF PANAGAL :—" Yes."

Nomination of Presidents of Usilampatti and Melur Taluk Boards.

* 1293 Q.—Mr. A. CHIDAMBARA NADAR. Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the same persons have been nominated as Presidents of Usilampatti and Melur Taluk Boards in Madura district since the time when the nomination of non-officials as presidents was introduced ;

(b) if so, the reason for the same ;

(c) whether it is a fact that the President of the District Board has again recommended the same gentlemen for re-nomination and they have been appointed as temporary presidents pending their nomination by Government ; and

(d) whether these gentlemen are elected or nominated members in the board ?

A.--(a) The answer is in the affirmative.

(b) They were recommended as suitable by the President of the District Board.

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- (c) & (d) In September last the President, District Board, recommended them for reappointment as Presidents of the Taluk Boards and when doing so he reported that he had appointed them as members and temporary presidents. The Government, however, decided that the taluk boards should be allowed to elect their presidents.

Mr. A. CHIDAMBARA NADAR :—" With reference to the answer given to this question, may I know whether the district boards are allowed to nominate the same gentlemen as presidents of taluk boards over and over ? "

The hon. the RAJA OF PANAGAL :—" Sometimes it may happen so if the men are found to be suitable."

Sriman SASIBHUSHAN RATH Mahasayo :—" The Government say ' that the Government have decided that the taluk boards should be allowed to elect their presidents '. May I know when they so decided and from what date the nominated presidents ceased to exist ? "

The hon. the RAJA OF PANAGAL :—" The boards have been given the privilege of electing their own presidents, since October 1925."

Mr. A. CHIDAMBARA NADAR :—" May I know whether nominations of presidents of taluk boards are recommended by presidents of district boards and then the Government finally appoint them as such, or the Government themselves appoint them ? "

Nomination of Jains to the local boards.

* 1294 Q.—Mr. D. MANJAYYA HEGGADE : Will the hon. the Minister for Local Self-Government be pleased to state —

(a) whether the Government have received any representation from some of the members of the Jain community praying that members of their community be nominated for the district and taluk boards ;

(b) if the answer is in the affirmative, what action the Government have taken in the matter ; and

(c) if the answer is in the negative, whether the Government intend to nominate Jains to be members of the local boards and if not, why not ?

A.—(a) Two representations were received in August last in regard to nomination to the District Board.

(b) & (c) The attention of the hon. Member is invited to the answer to clause (c) of question No. 1233.

Construction of roads in rural areas.

* 1295 Q.—Mr. P. N. MARTHANDAM PILLAI : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the amount allotted for the improvement and construction of roads in rural areas ;

(b) the time within which the said allotment is asked or expected to be spent ;

(c) the machinery through which estimates are prepared and works executed ; and

(d) why local bodies are not allowed to employ their own machinery for speedily doing the work ?

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A.—(a) It is presumed that the hon. Member refers to village roads. Rupees 6.25 lakhs has been allotted for the purpose of village roads.

(b) Before 31st March 1926.

(c) The Local Fund Engineering department.

Mr. A. RANGANATHA MUDALIYAR :—“ May I know, Sir, that if the whole allotment is not spent before the 31st March 1926, the balance would lapse to the Government ? ”

The hon. the RAJA OF PANAGAL :—“ Ordinarily it would lapse ; but now in this case the question is under consideration.”

Mr. A. RANGANATHA MUDALIYAR :—“ Considering the late date when this amount was allotted, will the hon. Minister arrange to make them available for the next year also ? ”

The hon. the RAJA OF PANAGAL :—“ I have already answered that question.”

Mr. K. KOTI REDDI :—“ May I know why clause (d) has not been answered ? ”

The hon. the RAJA OF PANAGAL :—“ I have already answered that they have their own engineering staff employed.”

Nominations to taluk boards of Bellary district.

* 1296 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of nominated members on each of the taluk boards of the Bellary district ;

(b) in which of them, there are no members to represent the Indian Christian, Adi-Dravida and Muhammadan communities respectively ; and

(c) the reasons for the failure to provide such a representation ?

A.—(a) Twelve.

(b) Adoni—No Adi-Dravida.

Bellary—No Indian Christian.

Harpanahalli—No Indian Christian or Muhammadan.

Hospet—No Adi-Dravida or Indian Christian.

(c) The selection of members for the reconstituted taluk boards was made mainly from the members of the old boards with due regard to the representation of minorities and depressed classes.

Mr. R. VEERIAN :—“ May I know why in several of these boards these minority communities are not represented ? ”

The hon. the RAJA OF PANAGAL :—“ Sir, the reason has already been given. These nominations for the reconstituted boards had to be made from among the members who were elected to the old boards.”

Mr. A. RANGANATHA MUDALIYAR :—“ Does the hon. Minister say that there were none belonging to these communities in the old boards to be brought over to the new boards ? ”

The hon. the RAJA OF PANAGAL :—“ I cannot give the answer off-hand.”

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Mr. A. RANGANATHA MUDALIYAR :—“ How does the hon. Minister answer clause (c)? Does the hon. Minister say that there were none belonging to these communities on the old boards? ”

The hon. the RAJA OF PANAGAL :—“ A selection had to be made.”

Mr. K. KOTI REDDI :—“ May I know why Government should perpetuate the mistake once made? ”

The hon. the RAJA OF PANAGAL :—“ Where is the question of mistake? ”

Mr. K. KOTI REDDI :—“ If proper representation was not given to the minority communities in the old boards, why should you not give a proper representation in the new boards? ”

The hon. the RAJA OF PANAGAL :—“ The boards were elected boards previously and there were a larger number of members than could be appointed to the newly constituted boards and therefore a selection had to be made.”

Mr. A. RANGANATHA MUDALIYAR :—“ Does the hon. Minister say that no members other than those belonging to the old boards were appointed to the new boards? ”

The hon. the RAJA OF PANAGAL :—“ In some cases they might have been appointed.”

Mr. K. KOTI REDDI :—“ When other members also were nominated, what was there to prevent the nominating authority from giving due representation to the unrepresented minority communities? ”

The hon. the RAJA OF PANAGAL :—“ In some boards, the Adi-Dravidas might not have been there as previously constituted. Those particular boards might have required the nomination with greater emphasis than any other board. In such a case they might have been nominated even though they had not been there before.”

Mr. A. RANGANATHA MUDALIYAR :—“ Were such members members of the depressed classes? ”

The hon. the RAJA OF PANAGAL :—“ On some boards depressed class members might have been nominated; on others they might not have been. These nominations were made by the presidents of the district boards and not by the Government.”

Mr. A. RANGANATHA MUDALIYAR :—“ Have the Government no power to cancel these nominations when they are contrary to the policy of the Government? ”

Mr. R. VEERIAN :—“ Hear, hear.”

The hon. the RAJA OF PANAGAL :—“ It is doubtful whether the Government have any power to interfere with the nominations.”

Mr. A. RANGANATHA MUDALIYAR :—“ Cannot improper nominations be cancelled by the Government? ”

The hon. the RAJA OF PANAGAL :—“ Government can advise the presidents not to make such nominations.”

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Mr. A. RANGANATHA MUDALIYAR :—" Was such an advice tendered in the present case ? "

The hon. the RAJA OF PANAGAL :—" Yes, all the presidents have been addressed in this matter and they have been asked to give as far as possible due representation to the minority communities."

Mr. G. RAMESWARA RAO :—" Am I to understand that the boards have the power to cancel the nominations but not the Government ? "

The hon. the RAJA OF PANAGAL :—" I have already answered that it is a doubtful question."

Mr. K. KOTI REDDI :—" Do the Government propose to introduce legislation to clear up the doubt and see that due representation is given to such minority communities ? "

The hon. the RAJA OF PANAGAL :—" That question is under consideration."

Mr. G. RAMESWARA RAO :—" May I ask the hon. Minister whether he is certain that the boards have the power to cancel the nominations once made ? "

The hon. the PRESIDENT :—" That is asking for legal opinion."

Mr. R. VEERIAN :—" May I know whether Government are contemplating to make provision for compulsory nominations in the case of these unrepresented minority communities ? "

The hon. the RAJA OF PANAGAL :—" It is not easy to make such a provision. There may be boards where there are no depressed classes and if compulsion is resorted to the whole constitution will be vitiated. The question of giving due representation to these communities is under consideration ; and as to how best it should be done will be decided soon."

Mr. A. RANGANATHA MUDALIYAR :—" Will the Government hereafter see that in further nominations to these boards due representation is given to these communities ? "

The hon. the RAJA OF PANAGAL :—" These new nominations have to be made by the presidents of the district boards, when once the taluk board is constituted in order to make up the deficiency "

Mr. A. RANGANATHA MUDALIYAR :—" If the presidents make their own nominations, Government may afterwards say that it is an accomplished fact. Will the hon. Minister advise them in advance in order that there may be no room for such dissatisfaction ? "

The hon. the RAJA OF PANAGAL :—" The request will be considered."

Nominations to local bodies in Coimbatore, Salem and Nilgiris districts.

* 1297 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of backward and depressed classes, Muhammadans and Indian Christians, nominated as members of local boards (district and taluk) and municipalities in the districts of Coimbatore, Salem and Nilgiris as compared with their elected members, if any ;

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(b) how these numbers compare with the numbers that existed immediately before; and

(c) the grounds for the difference?

A.—(a) The hon. Member is referred to the Annual Civil Lists for the information required in respect of the district boards and the municipal councils. The Government have no information in regard to taluk boards.

(b) & (c) These clauses do not admit of an answer as no specific period is mentioned.

Mr. J. A. SALDANHA :—" May I know how often such lists are published ? "

The hon. the RAJA OF PANAGAL :—" Once a year, Sir."

Mr. J. A. SALDANHA :—" The latest list available is that corrected up to 1st January 1925. No Civil List up to January 1926 has yet been published. If so, where are we to get the answer from ? "

The hon. the RAJA OF PANAGAL :—" It will be published soon."

Mr. J. A. SALDANHA :—" Will the Government look into the Civil Lists themselves and give us the answer ? "

The hon. the RAJA OF PANAGAL :—" I do not quite see the point. But I may inform the hon. Member that the list will be published soon."

Mr. J. A. SALDANHA :—" Will the hon. Minister at least enquire and say whether any Christians or depressed classes have been nominated to these district boards ? "

The hon. the PRESIDENT :—" To what district boards ? "

Mr. J. A. SALDANHA :—" To the District Boards of Salem, Coimbatore and the Nilgiris."

The hon. the RAJA OF PANAGAL :—" It is quite possible for the hon. Member to make the enquiry himself."

Nominations to Berhampur Taluk Board.

* 1298 Q.—Sriman SASIBHUSHAN RATH Mahasayo. Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether a person of the fisherman (Kovuto) caste has been nominated to the taluk board, Berhampur, to represent the depressed classes;

(b) whether it is a fact that one of the Kovuto caste was also nominated to the board three years ago; and

(c) whether the person now nominated belongs to the depressed classes?

A.—The information has been called for.

Sriman SASIBHUSHAN RATH Mahasayo :—" With reference to the answer that the information has been called for, I may say that I sent the question in October last and I want to know whether it took three months for the hon. Minister to send a memorandum to Berhampur and get the answer."

The hon. the RAJA OF PANAGAL :—" The information has since been received to the effect that a member of the community was considered to be a member of the depressed classes."

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Sriman SASIBHUSHAN RATH Mahasayo :—" By whom? "

The hon. the RAJA OF PANAGAL :—" By the President of the Board."

Mr. R. VEERIAN :—" With reference to clause (a), with due regard to the fisherman community may I ask why a member of that community was nominated to represent the so-called depressed classes when the fishermen community never came in the category of the depressed classes? "

The hon. the RAJA OF PANAGAL :—" Fishermen are considered to be members of the depressed classes. I am not sure if there is no Adi-Dravida or Adi-Andhra on the board."

Mr. C. RAMALINGA REDDI :—" Are any people included in the category of the depressed classes who are not also untouchables? "

The hon. the RAJA OF PANAGAL :—" No, Sir."

Sriman SASIBHUSHAN RATH Mahasayo :—" Will the hon. Minister say categorically that the fishermen community of Ganjam are untouchables? "

The hon. the RAJA OF PANAGAL :—" That is my information, Sir."

Nominations to the Guntur Municipal Council.

* 1299 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state the reasons why the Government issued a Gazette Extraordinary on the 31st October 1925 appointing Mr. P. C. Ethirajulu Nayudu, M.L.C., as a member of the Guntur Municipal Council?

A—The election of Chairman of the Guntur Municipal Council was fixed for the 2nd November 1925. The general policy is to hold such elections when the Council is at full strength and in order that the two existing vacancies might be filled by the date of the election a Gazette Extraordinary was necessary.

Mr. S. SATYAMURTI :—" May I know, Sir, when the vacancy to fill up which Mr. Ethirajulu Nayudu was nominated, arose? "

The hon. the RAJA OF PANAGAL :—" Some time before the 2nd of November."

Mr. S. SATYAMURTI :—" If it arose in time for the nominations to be announced in the Gazette, there would have been no need for the Government to issue the Extraordinary Gazette. What were the reasons which prompted the Government to issue the Gazette Extraordinary, nominating Mr. Ethirajulu Nayudu on the eve of the election of the chairman? "

The hon. the RAJA OF PANAGAL :—" The recommending authority the Collector suggested that the nominations may be notified immediately so that those members also might take part in the coming election of the chairman."

Sriman SASIBHUSHAN RATH Mahasayo :—" Is it usual with the Ministry to issue such Gazette Extraordinary on the eve of the elections? "

The hon. the RAJA OF PANAGAL :—" As I said already, the Collector suggested that the nominations may be notified before the election of the chairman so that they might also vote in the election."

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Rao Bahadur C. NATESA MUDALIYAR :—"Is it a fact that deputations, mahazars and telegrams were received by the hon. Minister to expedite the nominations?"

The hon. the RAJA OF PANAGAL—"Yes, Sir."

Mr. S. SATYAMURTI :—"Sir, in view of the answer to the leading question asked by my hon. Friend below the gangway, may I ask the hon. Minister whether he took this action as a result of the recommendation of the Collector, or whether he acceded to the request of the deputationists and the mahazarists and nominated this gentleman to strengthen the position of the party in the Guntur Municipal Council?"

The hon. the RAJA OF PANAGAL :—"If the Collector had recommended this, it does not mean that the request of the deputation had no weight. There were two things, the one was the suggestion of the Collector and the other was the request made by the deputationists."

Rao Bahadur C. NATESA MUDALIYAR :—"Is it also a fact that the Collector also recommended the expediting of the nominations?"

The hon. the RAJA OF PANAGAL :—"I have already answered that question."

Mr. SAMI VENKATACHALAM CHETTIYAR :—"May I know whether Mr. Ethirajulu Nayudu took part in the election?"

The hon. the RAJA OF PANAGAL :—"I am not in a position to give the information."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—"I did take part in the election, Sir."

The hon. the PRESIDENT :—"Order, order. The question need not have been asked and the answer need not have been given."

Mr. P. ANJANEYULU :—"May I know whether this is the general policy in the case of taluk boards and district boards?"

The hon. the PRESIDENT :—"Order, order. We are now discussing the nomination of Mr. Ethirajulu Nayudu to the Guntur Municipal Council."

Mr. R. MADANAGOPAL NAYUDU :—"Mr. President, Sir, it appears to me from the question of the hon. Member for the University that . . ."

The hon. the PRESIDENT :—"Order, order. The hon. Member will please put his question."

Mr. R. MADANAGOPAL NAYUDU :—"Did the people who sent the mahazar mention any particular name for nomination?"

The hon. the RAJA OF PANAGAL :—"No."

Rao Bahadur C. NATESA MUDALIYAR :—"Is it a fact, Sir, that the deputation consisted of Brahmans and Swarajists also?"

The hon. the RAJA OF PANAGAL :—"Quite possible." (Hear, hear and laughter.)

Mr. T. ADINARAYANA CHETTIYAR :—"May I know whether this policy obtains also in the case of district boards?"

The hon. the PRESIDENT :—"The question is out of order."

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Mr. S. SATYAMURTI.—“In view of the conflicting answers given, and in view of the statements made by some hon. Members below the gangway evidently under the inspiration of the ministerial bench, may I ask definitely what is the policy behind these nominations being notified in Extraordinary Gazettes? Are they usually made before the Council proceeds to the election of its chairman, whatever the circumstances may be, or is it a peculiar case in this matter, because they wanted to strengthen the party and went out of their way to nominate this gentleman?”

The hon. the RAJA OF PANAGAL :—“Government did not go out of their way in nominating this gentleman. So far as this question is concerned, Government thought that the nominations should be made before the election took place and since there was no issue of the ordinary Gazette at that time they issued an Extraordinary Gazette notifying the nomination.”

Rao Bahadur C. NATESA MUDALIYAR —“May I know, Sir, whether Mr. Ethirajulu Nayudu was the only candidate or whether there was anybody else?” 11-30 a m.

The hon. the RAJA OF PANAGAL :—“There were others also”

Mr C. V. VENKATARAMANA AYYANGAR :—“May we know how long this question of filling up the vacancy was pending before the Government?”

The hon. the RAJA OF PANAGAL —“I cannot say that without notice. But it was decided to accept the Collector's nomination.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“May I know approximately whether the recommendation came just before the date of nomination or whether the matter was pending with the Government for a long time requiring reminders from the Collector?”

Mr. F. NOYCE :—“I can give the answer to that question. A nominated municipal councillor died on the 10th of September and another resigned on the 20th of October.”

Rao Bahadur C. NATESA MUDALIYAR :—“May I know, Sir, whether the Government took the initiative in the matter or whether they took action on the Collector's recommendation?”

The hon. the RAJA OF PANAGAL :—“It was the Collector who took the initiative.”

Mr. S. SATYAMURTI :—“In view of the answer given by the hon. Secretary that one vacancy at least arose on the 10th of September, and of the consequent fact that there was a period of fifty days before the Gazette Extraordinary was issued, may I know why the Government could not make up their minds within those fifty days and why they issued the Gazette Extraordinary just two days before the election?”

The hon. the RAJA OF PANAGAL.—“The Collector has first to report to the Government.”

Mr. C. RAMALINGA REDDI :—“May I know on what date the Collector's recommendation reached the Government?”

Mr. F. NOYCE :—“The Collector's letter is dated 23rd October.”

Mr. S. SATYAMURTI :—“When a vacancy arises in a district board of a nominated member, either by death or by resignation, may I know whether

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it is left to the Collector or to the municipality to do as they choose, or whether there is a machinery or rule by which the vacancy has got to be communicated to the Government within a stated period?"

The hon. the RAJA OF PANAGAL :—"There is no rule insisting upon the report being sent within a stated time. But it is generally done as soon as possible."

Diwan Bahadur P. C. ETHIRAJULU NAYUDU :—"Is it a fact that the municipal chairman has to report to the Collector first and then the Collector has to report to the Government?"

The hon. the RAJA OF PANAGAL :—"Yes."

Mr. S. SATYAMURTI :—"When did the municipal chairman report this vacancy to the Collector?"

The hon. the RAJA OF PANAGAL :—"Obviously, the information will not be available here."

Mr. S. SATYAMURTI :—"May I know whether a copy of the report of the Municipal Chairman to the Collector is not usually sent to the Government?"

The hon. the RAJA OF PANAGAL :—"No, Sir."

Sriman SASIBHUSHAN RATH Mahasayo :—"May I know whether the issue of a Gazette Extraordinary on this occasion is a solitary instance or whether it has become a practice with the hon. the Minister?"

The hon. the RAJA OF PANAGAL :—"Recently, with regard to the election of the president of a district board a similar Gazette Extraordinary was issued."

Sriman SASIBHUSHAN RATH Mahasayo :—"May I know whether a telegram was sent to the Municipal Chairman of Berhampur?"

The hon. the PRESIDENT :—"We are dealing with the Guntur Municipal Council."

Remission of toll revenue in Trichinopoly district

* 1300 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government received any report about the remission of toll revenues in Trichinopoly district about November 1924 and if so, when and from whom (President or Delegate), the basis on which the amounts of remission were calculated, and what orders were passed thereon;

(b) whether any representations were received from the Municipal Councils of Trichinopoly and Srirangam regarding the propriety or otherwise of the grant of remissions, and if so, how they were disposed of;

(c) whether any further report was received from the President, District Board, about the decision of the Joint Committee who sat recently and if so, to what effect; whether there was any dissenting and if so, what the dissent or dissents related to whether to the question of the grant or of the percentage; and

(d) whether the amounts recommended for remission in the initial report of November 1924, the intermediate report, if any, and the final report agree, and if not, what gave rise to the variations?

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- d.—(a) Yes; two reports were received on 29th October 1924, one from the President, District Board, dated 15th September 1924, and the other from the President-delegate, dated 24th October 1924. The amounts of remission were calculated on the probable loss to the toll contractors on account of the fall in traffic caused by the collapse of the Coleroon bridge and the damage done to roads by floods. The President was informed on 7th November 1924 that the sanction of Government was not necessary for the grant of remissions.
- (b) Yes. The Government advised the local bodies to settle the matter by mutual agreement by referring it to a Joint Committee.
- (c) Yes. The Joint Committee decided by a majority of four against two votes that the Trichinopoly and Srirangam Municipal Councils should bear a proportionate share of the remission and that they should receive a corresponding share of the receipts from the new Coleeroon ferry. Three members of whom only two attended the meeting of the Committee sent minutes of dissent. One of the dissenting members objected to the procedure adopted by the District Board in granting a remission without consulting the two municipal councils, while the other two stated that the amount remitted should be borne wholly by the District Board out of its share of toll income and that the Srirangam Municipal Council should get a larger percentage of the ferry receipts.
- (d) In the first report an amount was recommended for remission. The Government have not received any further report on this point.

MR. MUHAMMAD GHOUSE MIAN SAHIB :—“ May I know what was the total amount of remission granted by the District Board ? ”

The hon. the RAJA OF PANAGAL :—“ Sir, I want notice.”

MR. C. V. VENKATARAMANA AYYANGAR :—“ May we know approximately the respective amounts recommended by the President and the President-delegate ? ”

The hon. the RAJA OF PANAGAL :—“ Notice, Sir.”

MR. MUHAMMAD GHOUSE MIAN SAHIB :—“ May I know whether the amount collected by the sub-toll-gates and the amount collected by new ferries were taken into consideration in granting the remission ? ”

The hon. the RAJA OF PANAGAL :—“ I do not think it is a supplementary question.”

Nominations to the Negapatam Taluk Board.

* 1301 Q.—MR. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state whether any member of the depressed classes has been nominated to the Negapatam Taluk Board; if the Government have no information whether they will be pleased to call for the same?

A.—The answer is in the negative.

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Composition of the Rasipuram Union Board.

* 1302 Q.—**Mr. R. VEERIAN**: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the names of all elected members of the Rasipuram Union Board and the names of those nominated to it by the President of the Namakkal Taluk Board, Salem district;

(b) whether any representation has been received by the Local Self-Government Department recently from the Secretary of Salem District Adi-Dravida Jana Sabha, Rasipuram, sent through me regarding the nomination of candidates to the Rasipuram Union Board;

(c) what steps have been taken on the representation and with what results; and

(d) if the Government have no information to clauses (a) to (c), whether they will be pleased to call for the information?

A.—(a) A list^a of members of the union board is laid on the table.

(b) The answer is in the affirmative.

(c) The remarks of the President, District Board, Salem, were called for. The Government understand that owing to the disturbed condition of the union affairs it was found necessary to appoint such persons as would best be able to carry on the administration of the union board. The President of the Taluk Board has promised to keep in view the claims of Adi-Dravidas for representation at the earliest opportunity.

Mr. R. VEERIAN :—“ I find from the list appended that three members belonging to the Chettiyar community were nominated although there was already one belonging to that community on the Board. May I know therefore why the spirit of the law, viz., that due regard shall be given to unrepresented minority communities was not given effect to ? ”

The hon. the **RAJA OF PANAGAL** :—“ Nominations of members to the union boards are made by the presidents of the taluk boards. I do not know what regard the taluk board gave to the principle. But I may say this much that wherever there are suitable candidates available the presidents of the taluk boards may appoint members representing the minority communities.”

Mr. J. A. SALDANHA :—“ May I know whether the presidents of district boards follow the example set by the hon. the Minister ? ”

The hon. the **PRESIDENT** :—“ How can the hon. the Minister answer for the president of the taluk board ? ”

Mr. A. RANGANATHA MUDALIYAR :—“ How long after these nominations were made, did the election of the Vice-President take place ? ”

The hon. the **RAJA OF PANAGAL** :—“ I cannot say that without notice.”

Mr. R. VEERIAN :—“ May I know whether there is no remedy when the presidents of taluk boards infringe the spirit of the law ? ”

The hon. the **RAJA OF PANAGAL** :—“ There is no remedy. The matter is not free from doubt. The question is under consideration.”

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Rao Bahadur M. C. RAJA :—“ The Secretary of Salem District Adi-Dravida Jana Sabha sent a petition to the Government. That clearly shows that there are candidates for the post. May I ask whether the hon. the Minister will make an enquiry why the depressed classes are not represented on the Board ? ”

The hon. the RAJA OF PANAGAL :—“ I do not admit that every applicant for a place is qualified to fill that place. So far as the request for enquiry is concerned, I have no objection to enquire into the matter.”

Mr. R. VEERIAN :—“ I did not get suitable answer to my first question. I want to know why three members of the Chettiyar community were nominated when there was already one member of that community.”

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ Is there a community called the Chettiyar community ? ” (Laughter)

The hon. the RAJA OF PANAGAL :—“ My only answer is that discretion is left to the president of the taluk board in the matter and he has exercised it. The Government have been repeatedly warning the presidents to have due regard to the representation of minority communities.”

Rao Bahadur M. C. RAJA :—“ May I know whether the hon. the Minister for Local Self-Government has no supervising authority in the matter ? ”

The hon. the RAJA OF PANAGAL :—“ ‘ Supervising authority ’ is a very wide term. The question is whether the Government can interfere with the nominations made by the presidents of taluk boards. The question is not free from doubt ”

Mr. J. A. SALDANHA :—“ The Government have been telling us for the last one year that the question of legislation to compel the taluk board presidents to do their duty properly is under consideration. I want to know when the Government will introduce that legislation, and why it is delayed.”

Mr. A. CHIDAMBARA NADAR :—“ May I know whether the Chettiyar community is a minority community ? ”

The hon. the RAJA OF PANAGAL :—“ I cannot say that.”

Mr. SAMI VENKATACHALAM CHETTIYAR :—“ May I know whether the members of the community referred to belong to Mr. Ramalingam Chettiyar's caste or to my caste ? ” (Laughter.)

The hon. the PRESIDENT :—“ It is not a matter within the cognizance of the hon. the Minister for Local Self-Government.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I know under what authority the hon. Minister cancelled the nomination of a particular person to the Kudligi Board in the Bellary district while he was doubtful of the authority ? ”

The hon. the RAJA OF PANAGAL :—“ I only said that the matter is not free from doubt.”

Mr. R. VEERIAN :—“ May I know definitely from the hon. the Minister what principle is observed while nominations are made ? ”

The hon. the RAJA OF PANAGAL :—“ Due regard should be had to the representation of the Muhammadan and other minority communities.”

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Mr. C. RAMALINGA REDDI :—" May I know whether the Government do not interfere in any way with the nominations made by taluk boards ? "

The hon. the RAJA OF PANAGAL :—" They have not done so except by way of advising them."

Rao Bahadur M. C. RAJA :—" It is stated in the answer to clause (c) that ' the president of the taluk board has promised to keep in view the claims of Adi-Dravidas for representation at the earliest opportunity '. It clearly indicates that candidates are available. Will the hon. the Minister issue instructions to the President of the Rasipuram Union Board to give representation to the members of the depressed classes ? "

The hon. the RAJA OF PANAGAL :—" He has himself promised to do so. I do not think any instructions from the Government are necessary. If the hon. Member is very particular about it we have no objection to issue instructions."

Mr. K. KOTI REDDI :—" May I know what prevents the Government from exercising their doubtful authority to see that proper nominations are made to union boards when they have exercised that power in the case of a board in the Bellary district ? "

The hon. the RAJA OF PANAGAL :—" The question itself contains the answer. When the authority is doubtful, the Government do not want to exercise it."

Utilization of the Ponnani Taluk Board fund for contesting an election petition.

* 1303 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether a representation, dated 30th September 1925, submitted by one Mr. A. P. Raman, landlord and taluk board member, Valapad, protesting against the action of the Ponnani Taluk Board in utilizing the Local Board fund for contesting election petition No 62 of the South Malabar District Court, has been received by the Local Self-Government Department ; and

(b) if so, the rules under the Local Boards Act under which the Board is authorized to spend money in engaging a vakil and conducting the defence in such petition ?

A.—(a) The answer is in the affirmative.

(b) No rules have been framed by Government for the purpose. The admissibility of employing Taluk Board funds to defend suits depends on the circumstances of each case.

The Nidadavole Union Board meetings.

* 1304 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state

(a) whether it is a fact that after the nomination of one Mr. Chinai Anjanayalu, an Adi-Dravida member to the Nidadavole union board, West Godavari district, Mr. Dhakshnamurthi, a Brahman gentleman of the same union board, declined to attend three union board meetings consecutively ; and

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(b) whether it is a fact that the union board meeting was held within a few months, presided over by a Brahman member in the absence of the president, and a resolution was passed to obtain an explanation from Mr Dhakshnamurthi for his failure to attend three consecutive meetings?

A.—The Government have no information.

Mr. R. VEERIAN :—“ May I know, Sir, whether the Government were unable to get the information or whether they made no attempts to get it? ”

The hon. the RAJA OF PANAGAL :—“ We did not make any attempts to get the information because it was not considered necessary to do so.”

Mr. R. VEERIAN :—“ Will they be pleased to call for the information? ”

The hon. the RAJA OF PANAGAL :—“ I have already stated that the Government do not think it necessary to get the information.”

Nominations to the Aruppukkottai union board.

* 1305 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the names of all the elected and nominated members to the Aruppukkottai union board, Ramnad district, together with the class or community to which they belong ;

(b) whether there is any Adi-Dravida member nominated to this union board ; if not, why not ;

(c) whether the Adi-Dravida community informed them that they were not able to select and suggest the name of a suitable member among them ;

(d) whether any member belonging to the Nadar community was nominated to this union board ;

(e) what the approximate population of the Nadar community within the Aruppukkottai union board is ; and

(f) why one member belonging to the Nayudu community was nominated to this union board when there were already two elected members belonging to the same community ?

A.—Information has been called for.

Grants for district boards under “ 41-G. Civil Works - Transferred.”

* 1306 Q.—Mr. V. C. VELLINGIRI GOUNDER : Will the hon. the Minister for Local Self-Government be pleased to state how many district boards applied for grants under 41-G. Civil Works—Transferred during the current year stating the purpose for which the grant was asked, the time of their applications, the amounts applied for, and the amounts sanctioned or refused ?

A.—It is not clear whether information is required in respect of applications made by district boards in connexion with the budget for the current year or of those received since 1st April 1925 for supplementary allotments during the year. If the hon. Member wants details of any particular application it will be furnished.

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11-45
a.m.

Mr. V. C. VELLINGIRI GOUNDER :—" Sir, I want information relating to the latter portion of the answer. It was my intention to ascertain whether the amounts sanctioned have been refused ; for, I know that there cannot be any refusal unless a special application is made for supplementary grants. I now wish to know whether there have been applications for supplementary grants from the district boards for rural communication."

The hon. the RAJA OF PANAGAL :—" If the hon. Member particularises any case, Government will be glad to get the information."

Mr. V. C. VELLINGIRI GOUNDER :—" In answer to a question put last time about allotment of funds by reappropriation of the amount allotted in the budget for the development of second class roads the hon. Minister said that all the special grants applied for by the local boards had been met and yet there was a balance available for reappropriation. Hence I have tabled this question. I wish to know how many local boards have submitted applications for grants so that I may know whether proper investigation has been made and proper time allowed to elapse until all such applications could have been received."

The hon. the RAJA OF PANAGAL :—" The allotments are given in the budget."

Mr. V. C. VELLINGIRI GOUNDER :—" I am asking for the amounts applied for by the local boards for second-class roads."

The hon. the RAJA OF PANAGAL :—" Does the hon. Member mean the allotment or the applications."

Mr. V. C. VELLINGIRI GOUNDER :—" Applications for supplementary allotments or special grants by local boards."

The hon. the RAJA OF PANAGAL :—" The Government will give the information."

Medical.

Strength of the medical colleges in the Presidency.

* 1307 Q.—Mr. G. RAMESWARA RAO : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the total number of students in each class of all the medical colleges in the Presidency in each of the last five years ;

(b) whether there was proper laboratory accommodation for all the students all through and if so, why the number admitted in 1923-24 was smaller than in the previous years in some classes ;

(c) the percentage of passes during the said year in each public examination and why it is much lower in some cases, for instance, in the second-year class of medical schools in 1923-24 ;

(d) why the system of stipending medical pupils was discontinued ; and

(e) whether there is a marked improvement shown by the vital statistics so as to justify the discontinuance of the system ?

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- A.—(a) The Government presume that the hon. Member requires information in regard to medical *schools* and not medical *colleges*. A statement giving the information in regard to medical schools is furnished below :—

	Number of students in the			
	First-year class.	Second-year class.	Third-year class	Fourth-year class.
1920-21 ..	361	250	250	256
1921-22	498	196	295	273
1922-23	385	281	224	446
1923-24	262	302	217	481
1924-25	226	287	215	433

- (b) Proper laboratory accommodation was available in the Medical Schools at Vizagapatam and Madura and in the Lady Willingdon Medical School for Women at Madras. There was sufficient accommodation in the Rayapuram School except for the Chemistry classes; in the Tanjore School accommodation for practical work was only sufficient for 60 students at a time, although there was accommodation for 96 students in the Lecture hall. There was no proper laboratory accommodation in the Calicut School, as the school was only a temporary one and has since been transferred to Coimbatore.

In 1923-24 the number of students admitted was restricted with reference to the extent of accommodation available for practical classes, the size of the dissection sheds, and the number of bodies available for dissection. A number of students who were selected did not join the schools.

- (c) The information is furnished below :—

Percentage of passes in the Board Examination in 1923-24.

	First year.	Second year	Third year.	Fourth year.
Rayapuram .	56.06	57.53	63.94	45.81
Tanjore ..	66.23	42.86	69.57	55.56
Vizagapatam ..	53.70	55.71	88.46	45.97
Calicut ..	70.41	36.36	..	..
Madura ..	..	..	80.60	55.00
Lady Willingdon Medical School.	55.0	..		

The low percentage of passes in some cases is due to the following reasons :—

- (i) Students provisionally studying in a higher class begin to work seriously only late in the year after passing their October examination.
- (ii) All students are allowed to appear for the Board examination without being subjected to a preliminary selection examination.

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- (d) The Government formerly granted stipends to a large number of students in order to induce a sufficient number of recruits to join the sub-assistant surgeon's cadre, as service in this cadre involved liability to military duty. As no difficulty is now experienced in obtaining the required number of officers for the cadre, stipends are now granted only to women students and to students belonging to backward communities and depressed classes.
- (e) Stipends were granted for other reasons than their probable effect on vital statistics. The Government do not consider that vital statistics are a suitable criterion for regulating the grant of stipends.

Mr. G. RAMESWARA RAO:—"With regard to the answer regarding accommodation in the Tanjore school, is it intended to increase the capacity of the laboratory also?"

The hon. the RAJA OF PANAGAL:—"The question is under consideration."

Mr. G. RAMESWARA RAO:—"Does that answer apply to the next paragraph of the question also regarding the accommodation available for practical classes, etc.?"

The hon. the RAJA OF PANAGAL:—"Notice."

Lady Willingdon Leper Settlement at Chingleput.

* 1308 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are lepers in the Lady Willingdon Leper Settlement near Chingleput from different parts of the presidency;

(b) if so, what is the present strength of the lepers in the settlement, giving separate figures for males and females;

(c) how many lepers the settlement would accommodate;

(d) why no arrangements are made to remove several of the lepers from the Madras City to the Settlement; and

(e) whether Government propose to have some more leper settlements in other places as that of the one near Chingleput, viz., Lady Willingdon Leper Settlement?

A.—(a) Yes.

(b) The present strength of the lepers in the settlement is 405 as detailed below:—

Indians—					
Males	307
Females	74
Anglo-Indians—					
Males	15
Females	9
Total					405

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- (c) The settlement is intended to accommodate 350 lepers. Temporary sheds are in course of erection and when they are completed there will be accommodation for 100 to 150 more lepers.
- (d) The Government cannot compel lepers to enter the settlement which, moreover, is not intended to be an asylum for lepers in every stage of the disease but is reserved for acute cases which are likely to derive benefit from treatment.
- (e) No.

Mr. MUHAMMAD GHOUSE MIAN SAHIB :—" May I know whether the management is the Government or any missionary authority ?"

The hon. the RAJA OF PANAGAL :—" It is entrusted to a missionary authority."

Mr. MUHAMMAD GHOUSE MIAN SAHIB :—" When was it done ?"

The hon. the RAJA OF PANAGAL :—" Last year."

Mr. MUHAMMAD GHOUSE MIAN SAHIB :—" Has there been any complaint that the missionary authorities are not managing it properly ?"

The hon. the RAJA OF PANAGAL :—" There have been no complaints."

Mr. J. A. SALDANHA :—" May I know, Sir, whether the Government can compel lepers to go into an asylum and whether the present Lepers Act is inadequate for the purpose ?"

The hon. the RAJA OF PANAGAL :—" The operation of the Act does not extend to this province. And it is considered that the present Act cannot be an effective means of deciding this question."

Mr J. A. SALDANHA :—" If it is not effective enough, may I know what steps Government are taking to make it effective ?"

The hon. the RAJA OF PANAGAL :—" I think, Sir, this is an all-India legislation. But, before the Government take any steps in the direction, they must see whether there are enough settlements and asylums to receive the leper patients or not."

Mr. J. A. SALDANHA :—" What measures the Government are taking to extend, to improve and to increase the settlements and asylums ?"

The hon. the RAJA OF PANAGAL :—" They have already constructed a settlement near Chingleput and they propose to extend the accommodation in that particular settlement. It is also under consideration that there should be other settlements in other districts."

Mr. MUHAMMAD GHOUSE MIAN SAHIB :—" May I know if the Government are taking proper care by raising a wall round the settlement to prevent these people wandering in the streets and mixing with the people in the market or bathing in the tanks which other people are using ?"

The hon. the RAJA OF PANAGAL :—" I think that question is already under consideration."

Mr. J. A. SALDANHA :—" May I enquire whether it is true that more money is spent on bungalows for the staff than for the lepers ?"

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The hon. the RAJA OF PANAGAL :—"It is news to me. I do not think it is so."

Mr. R. VEERIAN :—"May I know whether the police can take any steps against the lepers loitering up and down the streets of the city of Madras?"

The hon. the PRESIDENT :—"It is not a question to be addressed to the Minister for Local Self-Government."

Public Health.

Water-supply scheme for Tuticorin.

* 1309 Q.—Mr. P. N. MARTHANDAM PILLAI : Will the hon. the Minister for Local Self-Government, the hon. the Minister for Education, the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether the Government have in contemplation any scheme for the water-supply of Tuticorin, and if so, the reason for the delay in the execution of the scheme; and

(b) whether it is a fact that the officials of Government take away water to Tuticorin year after year from the Perumkulam tank intended and needed for the cultivation of the wet lands under it without refilling it from the river?

A.—(a) A scheme for the supply of water to Tuticorin from the Tambraparni river was sanctioned in 1918. Owing to an increase in the estimated cost of the scheme caused by the rise in the price of materials and labour, the work was stopped and the question of financing the scheme reconsidered. The question of financing has now been settled and orders have been issued for the revision of the detailed plans and estimates and the execution of the work at an early date.

(b) The Government have no information.

Mr. P. N. MARTHANDAM PILLAI :—"May I ask whether the Government will be pleased to call for the information as regards (b) and take the necessary action if the information is in the affirmative?"

The hon. the RAJA OF PANAGAL :—"The question will be considered."

Religious and Charitable Endowments.

Travelling allowances, etc., of Commissioners of the Hindu Religious Endowments Board.

* 1310 Q.—The RAJA OF RAMNAD : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Commissioners of the Religious Endowments Board visit temples on duty;

(b) whether they have acted or proposed to act as tribunals in the case of temples which they have visited after discovering any acts of omission or commission on the part of the trustees;

(c) what is the rate of daily and travelling allowances admissible to the members of the Religious Endowments Board; and

(d) whether these charges are met from provincial funds or from contributions made from trust funds?

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4.--(a) The answer is in the affirmative.

(b) Section 58 of the Madras Hindu Religious Endowments Act, 1923, authorizes the Board to hold enquiries into cases of mismanagement of endowments by trustees of maths or excepted temples. If complaints of any acts of omission and commission are received during any visit, the Commissioners sit as a tribunal to adjudicate upon them.

(c) Travelling and daily allowances are drawn by all the members of the Board except the President in accordance with the Madras Travelling Allowances Rules. The President has elected to draw only second-class fare for railway journeys.

A copy * of the rule which the Government propose to issue on the subject and section 67 (2) (f) of the Hindu Religious Endowments Act, 1923, is appended. The rule has not yet been confirmed

(d) Travelling allowance charges will ordinarily be met from the Board's own funds.

The RAJA OF RAMNAD :—" May I ask the hon Minister whether the Commissioners of the Hindu Religious Endowments Board can initiate enquiries and decide on irregularities which they themselves had discovered ? "

The hon. the RAJA OF PANAGAL :—" They can do so on information."

The RAJA OF RAMNAD :—" May I ask the hon. Minister whether the Commissioners themselves can be detectives and be judges themselves ? "

The hon. the RAJA OF PANAGAL :—" I have said ' on information '."

Mr. P. N. MARTHANDAM PILLAI :—" May I know, Sir, whether they are not both judicial and executive officers ? "

The hon. the RAJA OF PANAGAL :—" To a certain extent they are."

The RAJA OF RAMNAD :—" May I ask the hon. Minister whether when he piloted the Bill and when the Bill was in the consideration of the House, it was the intention that the Commissioners should go about from place to place, visit temples and discover irregularities and dispose of them according to their own lights ? "

The hon. the RAJA OF PANAGAL :—" As I have already said, if the Commissioners are informed that a particular institution is not properly managed, it should be within the jurisdiction of the Commissioners to visit the place and hold an enquiry."

The RAJA OF RAMNAD :—" Sir, I am afraid there is no answer to my question. The question is whether it was the intention at any stage of the Bill, that they could themselves *suo motu* visit temples, discover irregularities, and adjudicate upon them. There is a vast difference between their acting on information and acting *suo motu* "

The hon. the RAJA OF PANAGAL :—" Does the hon. Member ask for an interpretation of the particular section of the Act ? If that is the case, he had better apply to a lawyer."

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Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Are the Commissioners sending periodical returns of the enquiries made from time to time ? ”

The hon. the RAJA OF PANAGAL :—“ Wherever any report on any matter has to be sent to the Government, reports are being sent.”

The RAJA OF RAMNAD :—“ Sir arising from the statement made in the answer that the Commissioners can only deal with complaints relating to trustees of mutts and excepted temples, may I know whether they are visiting other temples ? ”

The hon. the RAJA OF PANAGAL :—“ I do not know if they are visiting other temples. Perhaps they may be visiting them as worshippers ”

The RAJA OF RAMNAD :—“ I may assure the hon. Minister from my personal experience that one of the Commissioners is visiting temples under Devasthanam committees, is drawing attention to various irregularities and holding correspondence. If he has any such information, will the hon. Minister be good enough to call upon the Commissioners to tell him why they were functioning in the manner not contemplated in the Act ? ”

The hon. the RAJA OF PANAGAL :—“ If they are really doing what they should not do, it is the duty of the Government to warn them and the Government will bear the request in mind and enquire into the matter.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ As a new Act is now being worked, will the Government consider the desirability of calling for periodical returns from Commissioners as to cases which they enquired on complaint and enquiries conducted by them of their own accord ? ”

The hon. the RAJA OF PANAGAL :—“ I think some returns are being sent. I do not know whether they are periodical returns. The question will be considered.”

Tours.

Tour of the hon Ministers to Nuzvid.

* 1311 Q. - Mr. S. SATYAMURTI : Will the hon the Minister for Local Self-Government and the hon. the Minister for Education be pleased to state—

(a) the official work which took them recently to Nuzvid and the amount of their travelling expenses charged to the public purse ;

(b) whether they did any political work there ; and

(c) if so, whether they have paid or propose to pay their own travelling expenses ?

A.—(a) Inspection of educational and local fund institutions and consultation with members of the taluk board and district board and others especially with reference to the improvement of the local high school and funds for the Andhra University.

The visit was undertaken in the course of a tour ; the additional cost to the public purse due to the inclusion of Nuzvid in the itinerary was Rs. 60.

(b) & (c) Do not arise.

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Mr. S. SATYAMURTI :—" With reference to clause (a) of my question, may I ask the hon. the Chief Minister to be good enough to say whether the Government have any policy with regard to the circumstances which would justify their going to places to inspect educational and local institutions? Just to explain my position, I am simply asking whether they consider inspection of institutions which are normally working, about which no complaints have been received, as part of their official work which would justify their going on tours to various places."

The hon. the RAJA OF PANAGAL :—" The idea underlying these visits is to see whether institutions are being properly worked or not."

Mr. J. A. SALDANHA :—" May I enquire whether there are not the educational officers like the Director of Public Instruction and others to do this duty? "

The hon. the RAJA OF PANAGAL :—" Yes, there are."

Mr. S. SATYAMURTI :—" Sir, if I understood my hon. Friend's answer aright, I understood him to mean that inspection of institutions even if they are in normal working order is part of their duties, and I therefore ask the hon. the Chief Minister to be good enough to say what the purpose of this inspection was, whether any notes of inspection had been made and sent to the departmental head for action, whether any action followed or whether it is a mere ceremonial visit just to put heart into the departmental institutions and to show that the Minister is caring for them "

The hon. the RAJA OF PANAGAL :—" Wherever instructions have to be issued to the departmental heads, they are being issued."

Mr. SAMI VENKATACHALAM (CHETTIYAR :—" May I know if this inspection was undertaken at the request of the institution or voluntarily by the hon. Minister? "

The hon. the RAJA OF PANAGAL :—" I cannot say exactly whether this particular visit was made at the request of the managers of the institutions or the President or the people. But I remember there were requests for the Member in charge to visit them."

Mr. S. SATYAMURTI :—" In the case of these particular institutions at Nuzvid which were inspected by the two Ministers, the Chief Minister and the Education Minister, may I know the names of all the institutions that were visited, whether any records have been kept as notes of inspection, whether any action was taken by way of communicating them to the departmental heads concerned, and whether the departmental heads have taken any action as a result of the notes of inspection? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The institution was proposed to be raised to higher standard and there was a difference of opinion in regard to the matter. That necessitated the inspection. The second object was that with regard to the Andhra University. Nuzvid is a place which contains some 10 or 12 zamindars whose sympathy and support had to be enlisted for financial aid to the Andhra University."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I know if these educational and local fund institutions were not given a holiday on the day of the visit of the hon. Ministers? "

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noon.

The hon. the PRESIDENT :—" Order, order. That is a question which need not be put to the hon. the Ministers."

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Mr. S. SATYAMURTI :—“ May I know with regard to the institution intended to be raised to a higher grade, whether it is not the policy of this Government to have the reports on these matters of the departmental heads—the Director I should take it—? I should be surprised to hear that the Ministerial head should go and inspect an institution on a technical matter of that kind over the heads of the departmental heads concerned. I should like to know from the hon. the Minister whether it is really a fact that in a highly technical matter of an educational kind as to whether a particular school is to be raised to a higher standard or not, he usurped the functions which rightly belong to the Director.”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The hon. Member assumes so many things in his question that it is impossible to answer it definitely or categorically.”

Mr. C. RAMALINGA REDDI :—“ May I ask my hon. Friend whether he has allowed or requested the Director of Public Instruction to inspect the place before he himself inspected it? ”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ May I know, Sir, from the hon. the Minister in how many other cases of disagreement like that between the local authority and the inspecting authority they (Ministers) found it necessary to inspect the places? ”

The hon. the PRESIDENT :—“ Which local authority is the hon. Member referring to? Is it the local officer of Nuzvid or other localities? ”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ I refer to other localities, Sir.”

The hon. the PRESIDENT :—“ Then the question is out of order.”

Sriman SASIBHUSHAN RATH Mahasayo :—“ Sir, may I know what are the local fund institutions mentioned in the answer as having been inspected? ”

The hon. the RAJA OF PANAGAL :—“ There is the taluk board office, the union board office and other offices ”

Rao Bahadur C. V. S. NARASIMHA RAJU :—“ I wish to know, Sir, whether the final authority recognizing the introduction of higher standards is not the Director of Public Instruction, and in that case, whether any special revision petition was presented to the Government and was pending before them when the inspection was made by the hon. the Education Minister? ”

Mr. C. RAMALINGA REDDI :—“ Sir, may we not have answers to these questions put by hon. Members on the front Opposition Bench? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I cannot answer if my opinion is asked for. If it is information that is required, I shall furnish it.”

Mr. C. RAMALINGA REDDI :—“ I was going to make the same observations relating to it, which my hon. Leader has now made. We have been really asking questions as to matters of fact. We are not concerned with the opinions of the hon. the Minister. The fact on which we asked for information was whether he did not allow the Director of Public Instruction to inspect and report before intervening in the matter himself, and secondly

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whether any petition or application was pending before the Government in respect of this matter of raising the institution to a higher standard including any decision arrived at by the Government."

The hon. Rao Bahadur Sir A. P. PATRO :—"The Director's opinion was before the Government."

Mr. S. SATYAMURTI :—"May I know whether part of the work of this tour was not to collect money for party funds and ask the Zamindars of Nuzvid to contribute to the Justice party's election funds?"

The hon. Rao Bahadur Sir A. P. PATRO :—"It is absolutely untrue."

Depressed Classes.

Accidental loss to depressed classes near Suramangalam.

* 1312 Q.—Mr. R. VEFRIAN Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware that about 45 thatched houses belonging to the depressed classes were burnt down to ashes owing to accident of fire during the month of July last in the locality of Katti Adi-Dravida street near Suramangalam Railway station, Salem district;

(b) whether it is a fact that the Suramangalam Police reported the matter to the authorities concerned;

(c) why no roofing materials have yet been supplied to these poor families to put up their houses again; and

(d) how many families are still without houses or without putting up their houses again?

A.—(a) Yes.

(b) No. A report was made by the village munsif of Suramangalam to the Stationary Sub-Magistrate.

(c) No request was made by the families for the supply of roofing materials.

(d) Twenty-nine.

Mr. R. VEFRIAN :—"Sir, with reference to clause (b) of the answer, may I know whether there is any rule in the Village Officers' Manual to the effect that village officials will have to render necessary help whenever there are any fire accidents in order to put such accidents down?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIR Bahadur :—"I cannot answer the question off-hand, Sir. I want notice."

Jails.

Alleged favouritism to Christian convicts in the Penitentiary.

* 1313 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that favouritism is shown to certain Christian convicts in the Penitentiary;

(b) whether it is a fact that the convict warders in the Penitentiary are allowed to show any partiality or any special concessions to those convicts who show any leanings towards the Christian religion; and

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(c) if so, how such a thing is allowed ; and
 (d) whether Government have held any special investigation in regard to the matter ?

A.—(a) No.
 (b) No.
 (c) Does not arise.
 (d) Yes.

Mr. T. ADINARAYANA CHETTIYAR :—“Is the hon. Member aware that in the columns of the *Madras Mail* definite complaints were made by Mr. T. V. Sundaram Ayyar that the jailors and some of the warders showed undue preference to some convicts there ?”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“Yes, Sir. The Government are aware of the complaint that appeared in the papers.”

The hon. the PRESIDENT :—“Order, order. Before the hon. Member proceeds to put further questions, may I ask whether he takes responsibility for the allegations made in the newspaper ?”

Mr. T. ADINARAYANA CHETTIYAR :—“Sir, I think the principle was discussed some time back and it was stated that it is not necessary for hon. Members of the House to make themselves absolutely responsible . . .”

The hon. the PRESIDENT :—“He must make the allegations as if they were made by himself, and not quote any paper.”

Mr. T. ADINARAYANA CHETTIYAR :—“Sir, a respectable journal publishes it from an ex-convict, and the presumption is naturally permissible that there must be something at the bottom of it. It is not possible within the means of the Members of this House to investigate for themselves, and therefore we have to presume they are not untrue. And it is our privilege to ask the Government to ascertain whether these allegations are true. On that basis I now ask who enquired into these allegations, when the allegations were enquired into and what the result of the enquiry is.”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“Since the complaint appeared in the newspapers the Government have received a report from the Superintendent of Prisons, Madras Penitentiary, which stated that there was no truth at all in those allegations. And further the question was gone into by the Chief Presidency Magistrate and by a non-official visitor, Diwan Bahadur G. Narayanaswami Chetti. Both these gentlemen say that there is absolutely no truth in the allegations that appeared in the newspapers.”

Mr. A. RANGANATHA MUDALIYAR :—“Why were not other visitors associated with these gentlemen in this enquiry ?”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“These gentlemen happened to visit the jail. They saw the complaints that appeared in the papers, investigated the matter and made their remarks in the visitors' book.”

Mr. SAMI VENKATACHALAM CHETTIYAR :—“What was the nature of the enquiry ?”

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The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" They made direct enquiries from the prisoners there. Mr. G Narayanswami Chetti wrote in the visitors' book as follows --

' I saw Jayaram Ayyar, an under-trial prisoner, in connexion with an allegation reported in the newspapers to have been made by him before the Georgetown Presidency Magistrate on the attempts made in the jail for the conversion of Hindu convicts into Christianity. On being asked, he told me that his statements before the Court were based on hearsay and he had no personal knowledge nor has he any occasion to see any cases himself'."

Mr K. KOTI REDDI :—" May I know who took the initiative in this enquiry, whether the visitors themselves made it or the Government asked them to make the enquiry ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —" When the complaint appeared in the newspapers, the Government asked the Inspector-General for a report."

Colonization of Andamans by Mappilla prisoners.

* 1314 Q.—Mr. S. SATYAMURTI: Will the hon the Home Member be pleased to state—

(a) whether he has now gone into the question of the colonization of the Andamans by Mappilla prisoners;

(b) if so, what his conclusions are; and

(c) the reasons on which those conclusions are based ?

A.—The attention of the hon Member is invited to the resolution passed by the Legislative Council on the subject at the meeting held on 25th August 1925.

A deputation consisting of the following gentlemen was appointed by the Government of India with a view to examine on the spot the conditions and circumstances of the Mappilla villages recently established in the Andamans :—

- (1) Mahmud Schamnad Sahib Bahadur, M.L.A.
- (2) Saiyid Murtuza Sahib Bahadur, M.L.A.
- (3) Mir Abbas Ali Khan Bahadur, M.L.C.
- (4) Dr. Mugaseth.

The members of the deputation have returned and they will submit their reports to the Government of India shortly. Pending orders on their recommendations, the scheme for the colonization of the Andamans by long-term Mappilla prisoners confined in the jails of this Presidency has been kept in abeyance.

Mr. S. SATYAMURTI.—" Sir, with reference to the first paragraph of the answer to this question, may I ask the hon. the Home Member to be good enough to give—I am now referring to the resolution adopted by this House to the effect that a committee of non-official Members of this House, including Mappilla representatives, be sent to the Andamans to enquire into and report on the conditions there—the reasons why the Government have not adopted that resolution and appointed a committee of this House to go into the question and report thereon ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" As I said in this House before, after the resolution was passed, we carried on correspondence with the Government of India on the subject, and

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ultimately the Government of India appointed a Committee. So the Government of Madras thought that there was no necessity for appointing another Committee."

Mr. C. RAMALINGA REDDI:—"May I ask if the Committee has reported?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I do not know. I think they ought to have sent their report to the Government of India."

Mr. C. RAMALINGA REDDI:—"I understand that the Committee has been only for about two weeks in the Andamans investigating this question."

The hon. the PRESIDENT:—"Order, order. That Committee was appointed by the Government of India, and so the hon. the Home Member has no jurisdiction over its work."

Mr. C. RAMALINGA REDDI:—"I was not thinking of jurisdiction. I was going to ask whether he has ascertained and seen that it is more than about a couple of months that the members of the Committee returned from the Andamans, whether they have submitted their report, and whether he has made any enquiries into the matter."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Since the Committee has been appointed by the Government of India, I think it is not necessary that we should investigate the question whether the Committee have submitted their report or not."

Mr. K. UPPI SAHIB:—"Was this Committee appointed without consulting this Government?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I have already said that the Government of India and the Government of Madras carried on correspondence, and ultimately the Government of India appointed this Committee."

Mr. S. SATYAMURTI:—"In view of the fact that the hon. the Home Member in the debate on the 25th August 1925 on this resolution did not oppose the amended resolution which recommended *inter alia* the appointment of a Committee of this House, may I ask the Government to be good enough to state specifically the reasons why they agreed, as I infer from the hon. the Home Member's answer, when the Government of India appointed this Committee and why they did not appoint a Committee themselves? I want to know the reasons which prevented the Government from carrying out the resolution of this House, which was passed *nem. con*."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"The reason is obvious. The question of the Andaman colonization scheme was raised both in this House and in the Legislative Assembly, and the Government of India being the Supreme Government have got a greater voice in regard to the appointment of this Committee."

Mr. S. SATYAMURTI:—"May I ask therefore whether the Government of India over-rode this Government, or whether this Government agreed to the appointment of a Committee by the Government of India in preference to this Government?"

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The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" There is no question of over-ruling. As I said, the Government of India came to the conclusion that they should appoint a Committee and they did so."

Mr. S. SATYAMURTI :—" Therefore, may I know whether this Government agreed either expressly or impliedly to the Government of India appointing this Committee in preference to this Government appointing a Committee of this House as stated in the resolution ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I may say that the Madras Government did not at all object to the appointment of the Committee."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May we suppose that the Government of India will bear the expenses of the deputation ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" Yes, Sir."

Mr. S. SATYAMURTI :—" With reference to the last two lines of the answer, I am thankful to the hon. the Home Member for having suspended the scheme for the colonization of the Andamans by long-term Mappilla prisoners confined in the jails of this Presidency. But may I know whether the sending of free men and women related to those convicts who are there has also been stopped ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" Except in the case of two or three women who expressed a desire to go there because their husbands are there, I think that scheme has been practically suspended for the present."

The hon. the PRESIDENT :—" The hour allotted for questions has been exhausted. I will make an exception in the case of the urgent question in regard to the Malabar Tenancy Bill in respect of which the hon. Member in charge has waived notice."

Agency Fituri.

Report on the capture of Srirama Raju.

* 1315 Q.—Mr. P. C. VENKATAPATI RAZU. Will the hon. the Member for Revenue be pleased to state—

(a) when and from whom the first report of the capture of Srirama Raju, leader of Agency fituri, was received by Government;

(b) when and by whom it was first reported to Government that he was shot;

(c) whether he will lay the two reports on the table; and

(d) the place where and the person by whom he was shot and the reasons alleged for shooting him after he was captured?

4.—(a) The first telegram received by Government on the subject was from Mr. Sweney; it was sent from Narasapatam at 16-35 hours on the 7th May 1924, and stated that Srirama Raju had been captured that morning.

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- (b) The Government next received a telegram from Mr. Rutherford which message was telephoned from Chintalapudi to Narasapatam and despatched thence at 20-45 hours on the same day. It stated that Srirama Raju had been captured that day and shot dead while escaping.
- (c) & (d) The information in the above telegrams and the further details contained in Mr Rutherford's subsequent written report were published in full in the Press Communiqué issued by Government on the 16th May 1924. The Government do not propose to publish any further papers now

Communications regarding the capture and death of Srirama Raju.

* 1316 Q.—Mr. P. C. VENKATAPATI RAZU Will the hon. the Member for Revenue be pleased to state whether he will place on the table the communications received by the Government regarding the capture and death of Srirama Raju?

A.—The hon. Member is referred to the answer given to clauses (c) and (d) of question No. 1315.

Appointments.

Appointment of Oriya graduates in Government offices.

* 1317 Q.—Rao Bahadur C. NATESA MUDALIYAR: Will the hon. the Member for Revenue be pleased to say—

(a) how many Oriya graduates are now employed in all the departments of the Secretariat and also in the Board of Revenue (Land Revenue and Settlement);

(b) whether it is a fact that there is not a single Oriya graduate in all the departments of the Secretariat and the Board of Revenue and if so, the reason for such a total non-representation of such a backward but big community;

(c) how many candidates have applied from that community to the Staff Selection Board for the posts advertised by it, and how many members of that community were selected to those posts till now; and

(d) whether it is a fact that Government have been receiving memorials and resolutions from various Oriya conferences every year, praying for adequate representation and recognition of the claims of their communities in various Government services?

A.—(a) None.

(b) Yes; lack of qualified applicants.

(c) In 1924, eleven Oriyas applied four for posts of Sub-Inspector, City Police; two for those of probationary sub-registrar, upper grade; and five for those of Probationary Deputy Tahsildar. None of them was selected.

In 1925, one applied for the post of Probationary Deputy Superintendent of Police, and he was selected. Two applied for the post of Probationary Assistant Registrar of Co-operative Societies and one was selected.

(d) Yes.

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Court of Wards and Zamindars.

Interest on overdue payments of peshkash in Sivaganga zamindari

* 1318 Q.—The **RAJA OF RAMNAD**: With reference to answer to my question No. 326, clause (a), given on 21st August 1925, will the hon. the Member for Revenue be pleased to state whether any interest was charged and collected on overdue payments of peshkash in Sivaganga zamindari?

A.—It is a standing rule that interest should not be charged on arrears of peshkash due from estates under the Court of Wards except by express orders of the Board of Revenue. No such order was issued by the Board in the case of the Sivaganga estate. So it may be inferred that either the peshkash was paid by the due dates or that no interest was charged on late payments.

Extra allowances for some officers in Sivaganga zamindari.

* 1319 Q.—The **RAJA OF RAMNAD**: Will the hon. the Member for Revenue be pleased to state what extra allowances and concessions are allowed for the following officers whose services had been placed under the Court of Wards for appointment in the Sivaganga zamindari, namely,—Messrs. Tampoe, Watson, T. N. Chockalinga Mudaliyar and Phillips?

A --(1) Messrs. Tampoe and Watson—Rs. 100 per mensem plus income-tax and annuity contribution and rent-free quarters.

(2) M.R.Ry T. N. Chockalinga Mudaliyar Avargal—

Rs. 100 from 8th November 1918 to 7th November 1919

Rs. 110 from 8th to 30th November 1919.

Rs. 60 from 1st December 1919 to 7th November 1920.

Rs. 70 from 8th November 1920 to 7th November 1921

Rs. 80 from 8th November 1921 to 10th June 1922, and

Rs. 40 from 11th June to 11th July 1922.

(3) Mr. Phillips—Rs. 100 per mensem and a rent-free house.

Land Revenue.

Growing of wet crops within 50 yards of village and municipal limits.

* 1320 Q.—**MR. A. RANGANATHA MUDALIYAR**. Will the hon. Member for Revenue and the hon. the Minister for Local Self-Government be pleased to state—

(a) whether and if so, when the order prohibiting the growing of wet crops within 50 yards of village limits was cancelled; and

(b) whether such a prohibition still exists in the case of lands within 50 yards of municipal limits and if so, why?

A —(a) Yes; in 1922.

(b) No

Tree taxes in Tinnevely district.

* 1321 Q.—**MR. CHAVADI K. SUBRAHMANYA PILLAI**: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that other item trees such as tamarind, illuppai, mango and coconut trees standing on poramboke or assessed waste and held

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on tree patta in Tinnevely district could be assessed only in the terms of and at the rate specified in the term No. 30 (vide Enclosure No. 1) and should remain unchanged for the period specified in term No. 40 (vide Enclosure No. 2) of the notification of the Special Settlement Officer published in the *Tinnevely District Gazette*, dated 1st August 1908;

(b) whether it is a fact that in contravention of the above term No. 40, before the expiry of thirty years from fasli 1317, the tree taxes are collected from fasli 1332 at the enhanced rate of 8 annas instead of 4 annas and 2 annas as per notification; and

(c) if the answers to (a) and (b) are in the affirmative, whether the Government will be pleased to state the action they propose to take in this matter?

ENCLOSURE No. 1.

*Notification of the Special Settlement Officer, Tinnevely,
dated 1st August 1908.*

* * * * *

“30. Where these trees (tamarind, illuppai, mango and coconut trees) stand on poramboke or assessed waste and are held on tree patta, the present system will remain unaltered. Tamarind, illuppai and mango will be assessed at 4 annas each and coconut at 2 annas.”

ENCLOSURE No. 2

“40. The resettlement will remain in force for the usual period of thirty years and the rates of assessment now sanctioned will remain unchanged for that period.

“Government reserve to themselves the right to revise on the expiry of the said thirty years the assessment on land or trees in such manner as may then seem just and proper. There will, however, be no enhancements of assessment in respect of additional value which may have been imparted to land by improvements effected by ryots even if carried out by means of money borrowed from Government. The thirty years' limit does not apply to lands the irrigation of which may be improved by Government subsequent to the resettlement nor to lands which may be converted from 'dry' to 'wet'. Modifications may also be made in the case of lands in the waterspread of tanks.”

A.—(a), (b) & (c) The answer to clause (a) is in the negative.

Loans.

Remedial measures in flood-affected parts in Tinnevely district

* 1322 Q.—MR. P. N. MARTHANDAM PILLAI: Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) the extent of the damages done to crops and houses by the recent floods in the Tinnevely district;

(b) the remedial measures adopted so far to relieve distress to the poor and the suffering; and

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(c) the measures which the Government propose to adopt for repairing the damage and restoring them to normal conditions before the cultivating season is over?

4.—(a) So far as has been reported, wet cultivation valued at about Rs. 5,000 and about 500 buildings, four-fifths of which were huts with mud walls and palmyra roofs, were damaged.

(b) A sum of Rs. 10,000 under the Agriculturists' Loans Act and of Rs. 20,000 under the Land Improvement Loans Act has been sanctioned to meet the urgent needs of the ryots for the repair of damage to houses and wet lands. The Tahsildars have also been authorized by the Collector to make free grants of palmyra trees to poor persons whose houses have been damaged. The Deputy Registrar of Co-operative Societies has undertaken to issue immediate instructions to his subordinates to visit the flooded areas and render help to the ryots.

(c) The Executive Engineer has taken steps to carry out all emergent works required to conserve water in the river for the successful harvest of the pishanam crop.

Applications for loans for reclamation of lands affected by the floods in the Tanjore and Trichinopoly districts.

* 1323 Q.—MR. S. MUTTAYYA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) how many applications were received for loan for reclamation of lands affected by the floods in the Tanjore and Trichinopoly districts;

(b) how many of them were granted, how many were rejected and what amount was distributed in each of the said districts;

(c) the grounds on which applications were rejected, stating the number of applications rejected on each of the grounds; and

(d) how many of the applicants were indebted, and how many applications were rejected on the ground of indebtedness?

A.—(a) In Tanjore 869 applications were received from 1st April 1924 to 1st September 1925 and in Trichinopoly 1,341 were received from 1st April 1924 to 15th November 1925.

(b) In Tanjore 819 were disposed of and Rs. 75,190 were disbursed; in Trichinopoly 1,028 were disposed of and Rs. 1,24,550 disbursed. The Government have no information of the number rejected. These figures do not include loans for reclamation of silted lands advanced to co-operative societies.

(c) & (d) The Government have no information of these details.

Minor Irrigation.

Decrease of irrigation tanks in Anantapur district.

* 1324 Q.—MR. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to the facts mentioned in the statistical atlases that during the period of ten years from 1913 to 1923, the number of irrigation tanks has decreased by about 140 in Anantapur district;

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(b) whether sufficient attention is being paid to the irrigation works in the district ;

(c) what the amount is which has been asked for by the Collector towards upkeep of minor irrigation works for the next year ;

(d) whether the whole amount would be included or has been included in the budget ; and

(e) what are the steps that the Government propose to take to restore the 140 tanks that are seemingly abandoned in the course of ten years as can be gathered from statistical atlases ?

A.—(a) Yes.

(b) & (e) The inference suggested in these questions is not warranted by the facts. The figures include private as well as Government tanks. There were 1,033 Government tanks in 1913 and 1,091 Government tanks in 1923. There is thus no reason from the figures to infer that any Government tank has been abandoned without sufficient reason.

(c) Rs. 51,350 against an average annual expenditure of Rs. 24,000 for five years.

(d) The budget is under the consideration of the Government and the provision to be proposed thereunder under minor irrigation has not yet been finally settled.

Move of Government to the Hills.

Stay of Government at Ootacamund.

* 1325 Q.—MR. J. A. SALDANHA : Will the hon. the Member for Revenue, the hon. the Member for Finance, the hon. the Home Member, the hon. the Law Member, the hon. the Minister for Development, the hon. the Minister for Education and the hon. the Minister for Local Self-Government be pleased to state—

(a) what are the periods allotted for the stay of His Excellency the Governor in Council and His Excellency the Governor with the Ministers at Ootacamund during the various seasons including the Christmas holidays ;

(b) what are the periods allotted for the stay of the hon. the Law Member and the other Members of the Executive Council at the hill station ; whether there is any differential treatment as to Indian Members ;

(c) what were the periods of the stay of His Excellency the Governor in Council and the hon. the Ministers at the hill station from March to October 1925 (both months inclusive) ;

(d) what during the same period were the several moves of the hon. the Executive Council Members to Madras from Ootacamund and *vice versa* and of the Secretaries and Deputy and Under Secretaries and their establishments between the two places on account of the Government and part-Government residence at Ootacamund and Madras ; and

(e) what was the cost to Government of these moves on account of the travelling and halting allowances of the officers and their establishments ?

A.—(a), (b) & (c) It is at the discretion of the Members of Government where they stay. No periods of stay at particular places are fixed.

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- (d) The following statement shows the number of times the hon. Members of Government and the officers of the Secretariat went to Ootacamund in 1925 :—

Designation of the officer.	Number of moves from Madras to Ootacamund and back.
The hon. the Law Member	4
„ Revenue Member	3
„ Home Member	1
„ Finance Member	3
„ Minister for Local Self-Government ..	4
„ Minister for Public Works Department ..	1
„ Minister for Development	2
Chief Secretary to Government	2
Secretary to Government, Public Works Department ..	2
Assistant Secretary, Local Self-Government Department.	2
All other Secretaries, Deputy and Under Secretaries and the Assistant Secretary, Law Department, with small staff of each department.	1

- (e) The cost to Government on account of officers and establishment of the Secretariat, including the establishment of the hon. Members of Council and Ministers, was Rs. 29,461. The travelling allowances of the hon. Members of Council and Ministers on account of their move to the hills between April and October 1925 amounted to Rs. 13,900. The figure is, however, incomplete as the Accountant-General still awaits the railway requisitions in connexion with some of their moves.

Revenue Establishments.

Scale of pay for taluk shroffs and clerks.

* 1326 Q.—MR. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware that formerly taluk office clerks and taluk shroffs were paid at the same rates ;

(b) whether the scale of pay for taluk clerks was raised from Rs. 35 to 60 ;

(c) whether taluk shroffs are on the same grade of salary as taluk clerks ; and

(d) the reasons why taluk shroffs have not been given the same increments of pay as taluk clerks ?

4.--(a) Taluk office clerks and shroffs were not paid at the same rate before the introduction of the time-scale.

(b) The scale of pay for taluk clerks was raised to Rs 35—60.

(c) No.

(d) The Government is not aware of any reason why taluk shroffs should be paid the same as taluk office clerks.

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Village Establishments.*Reasons for issuing G.O. No. 833.*

* 1327 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) whether his attention has been drawn to a copy of the G.O. No. 833, dated 6th June 1925, published in the *Swarajya* dated 13th November 1925 at page 4; and

(b) the reasons why the Government Order was issued?

A.—(a) Yes.

(b) The reasons are stated in the Government Order.

Prohibition of village officers from taking part in elections.

* 1328 Q.—Mr. V. PANTULU AYYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether any circular was issued by the Revenue Department recently prohibiting village officers, in any way, to take part in elections of any kind or of a particular nature and assisting candidate or candidates in the field according to their best judgment and conscience;

(b) if the answer to (a) be in the affirmative, what were the special reasons that induced Government to issue the circular in question and whether the same rules or instructions existed prior to this;

(c) whether Government Servants Conduct Rules apply wholesale to village officers and if not, what are their special privileges as different from ordinary Government servants; and

(d) whether the Government will be pleased to lay on the table a copy of the circular referred to in (a)?

A.—(a), (b) & (d) No prohibitory order has issued: the hon. Member is however referred to the answer to question No. 1327.

(c) The Government Servants' Conduct Rules do not in their terms apply to village officers. The latter part of the question is not understood.

Village munsifs holding honorary posts.

* 1329 Q.—Mr. B. RAMACHANDRA REDDI. Will the hon. the Member for Revenue be pleased to state whether village munsifs holding honorary posts such as the presidents of local boards, assistant registrars of co-operative societies, etc., are allowed to absent themselves from the headquarters in the discharge of their public duties, without applying for leave, or having applied for it before obtaining the sanction of the tahsildar?

A.—No.

Irrigation.*Construction of a permanent anicut across the Amaravathi.*

* 1330 Q.—Mr. T. M. NARAYANASWAMI PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether the Government have received petitions for the construction of a permanent anicut across the Amaravathi so as to safeguard the irrigation of the Puliur Rajam vaikal, Karur taluk, Trichinopoly district; and

(b) whether any steps have been taken; and if so, what?

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- A.—(a) No such petition has been received.
 (b) An estimate for Rs. 24,400 for improvements to the channel was sanctioned last May.

Malabar Tenancy Bill.

Minute of dissent to the report of the Select Committee on the Malabar Tenancy Bill by the hon. the Law Member.

* 1330-A Q.—Mr. K. PRABHAKARAN TAMPAN: Will the hon. the Law Member be pleased to state—

(a) whether his minute of dissent to the report of the Select Committee on the Malabar Tenancy Bill is the considered opinion of the Government of Madras or has been approved by the Government;

(b) whether the Government propose to take any immediate action to 'promptly examine' the several questions referred to in the last paragraph of his minute; if so, what is the action proposed to be taken; and

(c) in case any legislation is found to be necessary, when the Government will be able to introduce their Bill?

A.—(a) The minute of dissent represents the views of the Government of Madras.

(b) The Government propose as soon as practicable to examine the question referred to in the dissenting minute after consultation with the persons concerned with the problems awaiting solution and after considering the opinions, if any, expressed during the debate in this House.

(c) As soon as possible.

Diwan Bahadur M. KRISHNAN NAYAR:—"My hon. Friend the Law Member states with reference to the first question (a) that it is the opinion of the Government of Madras. May I know from my hon. Friend whether the 'Government of Madras' there includes the Ministers and whether they were consulted? I do not want their Cabinet secrets, but I want to know whether they were consulted or not and whether they expressed their view or not."

The hon. Sir C. P. RAMASWAMI AYYAR:—"I am unable to give an answer because the question of consultation between the two halves of the Government or between the Members of the Government among themselves is a question relating to matters that are not answered on the floor of this House."

Diwan Bahadur M. KRISHNAN NAYAR:—"I do not want any answer regarding the opinions, if any, that were given by the hon. Ministers. All that I want to know is whether the Ministers were consulted."

The hon. Sir C. P. RAMASWAMI AYYAR:—"I am unable to give an answer to that question."

Mr S. SATYAMURTI:—"Sir, this is a matter of some importance to us. We want to know with reference to the answer given by the hon. the Law Member whether his opinion on this important legislative measure represents that of the reserved half or of the transferred half or of both. In order to enable him to answer that question, I would remind him that a particular principle is observed in the rules under which instructions are issued that matters belonging to the reserved or transferred half must bear on their face

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some mark to show which half of the Government they emanate from. I now want to know what the term 'Government of Madras' means. Does it mean the reserved half or transferred half, or does it mean the Government of Madras including the reserved and transferred halves?"

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The hon. Sir C. P. RAMASWAMI AYYAR :—"I regret I must repeat what I have said that the consultations between Members of Government cannot be disclosed on the floor of the House. As to the responsibility for any decision that has been taken, if a decision has been taken on the reserved side, it is the responsibility of the reserved half; if the decision is on the transferred half, it is the responsibility of the transferred half."

Diwan Bahadur M. KRISHNAN NAYAR :—"May I therefore take it that there is no such thing as responsibility as a whole of the decisions arrived at?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"I used the word in the sense in which the hon. Member for the University used it. Even after the consultations any decision taken must be on the responsibility of the half to which the decision appertains. Unless the decision pertains to a transferred subject and when the decision affects the reserved half the responsibility for the decision is with the Governor in Council."

Mr. C. RAMALINGA REDDI :—"The question is far more complicated than that. My hon. Friend the Minister for Local Self-Government expressed his sympathy with the objects of the Bill at the Pattambi Conference. I do not think I am asking anything as to what happened between one half and the other. Do I understand that without any consultation he had publicly given expression to their views?"

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I know, Sir, when this decision was arrived at by Government?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"The dissenting minute is dated 9th January. It is a few days before that."

Diwan Bahadur M. KRISHNAN NAYAR :—"Does the hon. the Law Member regard and treat this report of his as a dissenting minute to the report of the Select Committee?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"It is out of time. It is an expression of opinion which, if the House will not allow to be brought into the report of the Select Committee, will not be read as part of the report of the Select Committee."

Diwan Bahadur M. KRISHNAN NAYAR :—"I want a specific answer to the specific question whether he, the writer of the report, considers or regards this as a report of the Select Committee."

The hon. Sir C. P. RAMASWAMI AYYAR :—"Yes."

Diwan Bahadur M. KRISHNAN NAYAR :—"If so, may I ask whether the hon. Member is aware that the time fixed for the submission of dissenting minutes was 30th November 1925?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"Yes."

Diwan Bahadur M. KRISHNAN NAYAR :—"If so, why did not the hon. Member send in his report? How did he send it a month later?"

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The hon. Sir C. P. RAMASWAMI AYYAR :—“ I can send any document at any time. I have not sought to incorporate it in the Select Committee report. It was published in the Gazette. It was my opinion and incidentally also the opinion of the Government of Madras.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ Then do I understand the hon. Member to say that it has not been treated by him as a dissenting minute ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I intend to regard it as a dissenting minute. As for the members, they may choose to treat it as my opinion merely.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ When he himself was the Chairman of the Select Committee, should he not have followed the rule ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ For obvious reasons any report or minute by me will have a value and implication quite apart from a dissenting minute by a single individual. I wanted to consult my colleagues and thus there was delay.”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ May I ask in this connexion why the report was not sent to me who was a member of the Committee, who attended several of its meetings and who devoted a part of my time to it. Why was it not sent to me for signature even to this date ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ It is not my responsibility.”

The hon. the PRESIDENT :—“ How is the question relevant ? ”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ The question is how far it is permissible for a member of the Select Committee though he may happen to be the President thereof to sign or issue a dissenting minute long, long after the allowed time. Here is a complaint of a member of the Select Committee that he was not shown the ordinary courtesy of being sent a report for signature or given an opportunity of sending a dissenting minute ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I am not aware of it. If he had made any complaint I would certainly have investigated into the matter.”

Mr. C. RAMALINGA REDDI :—“ May I ask the hon. Member why at the Select Committee stage he did not introduce amendments in consonance with the views now expressed in the minute ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I may at once say the views that I am now expressing are practically identical with the views expressed when the Bill was originally introduced. From the beginning to the end I was under the impression that unless the two parties came to a compromise, a solution will not be practicable. Very early in the debate I stated that further evidence ought to be taken. I still adhere to the conclusion that no solution will be possible or even imaginable without taking the views of the parties interested and endeavouring to arrive at a compromise. I found that it was not necessary or useful on my part to act in the manner suggested. My views such as they were were well-known. As President I had only to regulate the proceedings and in the events that happened I concluded that my most appropriate function would be that of a chairman pure and simple.”

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MR. S. SATYAMURTI :—" With reference to the answer to the first clause, I am now coming to the question direct—, may I just go back and ask the hon. Ministers or one of them, because they must also know the answer to this question—, whether they agreed to the views expressed by the Government of Madras embodied in the dissenting minute, whether they considered that minute or report and whether it represents the opinion of that part of the Government of Madras which they are administering ? "

The hon. the RAJA OF PANAGAL :—" The question is whether it arises from the question that has been asked and the answers given thereto. I do not think it does arise and therefore I am not prepared to answer."

MR. S. SATYAMURTI :—" It is a matter for you to decide. The question is, whether this minute of dissent to the report of the Select Committee on the Malabar Tenancy Bill is the considered opinion of the Government of Madras or has been approved by the Government. The answer is: It represents the considered opinion of the Government of Madras. We tried our best to elicit from the hon. the Law Member as to what is the opinion of the Transferred Half on this matter. For reasons the soundness of which I cannot question, he does not say whether it is the opinion of the one half or the other."

The hon. Sir C. P. RAMASWAMI AYYAR :—" With great respect for the hon. Member for the University I must say that I have not said that. I have said that the details of consultation, what happened and where they happened are not matters which can be discussed."

MR. S. SATYAMURTI :—" I stand corrected. I apologize to the hon. Member if I have misinterpreted him. But in view of this very statement which leaves the matter in still greater obscurity, may I ask the hon. Ministers, not whether they were consulted, not what they stated, but only with regard to the printed document embodying the alleged opinions of the Government of Madras? They are also a part of the Government. I want to know whether from their part of the Government of Madras they accepted or adopted these opinions as their opinion. They owe it to this House as the leaders of the majority party of this House to tell exactly whether those opinions that are embodied are theirs or not. In this way the question does arise."

MR. A. RAMASWAMI MUDALIYAR :—" I think an exactly similar question was raised in the time of your esteemed predecessor, Sir P. Rajagopala Achariyar. The obvious answer, if an answer is to be given, is that one part of the Government has to say what its opinion is. The hon. the Law Member has already said that the responsibility of the decision is the responsibility of the reserved half and not the transferred half. If we were to go further and ask whether one part consulted the other part and if we were to ask as the hon. Member for the University whether the members of the transferred half are agreed with this or that opinion you are doing exactly what your predecessor deprecated trying to find out."

The hon. the PRESIDENT :—" Does the hon. Member complain of any action of mine ? "

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Mr. A. RAMASWAMI MUDALIYAR :—“ No. He deprecated any attempt at finding out individual opinion or group of opinions of members of Government. The hon. Member for the University is exactly trying to do the same thing. This question is eminently fitted to be ruled out by you.”

Mr. S. SATYAMURTI :—“ Before you give your ruling, may I ask your leave to make a few submissions? I am not trying to find out individual opinions of a single member of Government. They are absolutely irrelevant to me. It is with regard to the public document which is said to be the opinion of the Government of Madras, that I have to know some information. Since unfortunately they are working diarchy, I want to know whether the Transferred department agreed with it. In the Montagu-Chelmsford Report, I submit, they knew the working of this better than any of us, they contemplate very definitely the possibility of both differing on many questions. They only add that when those two halves differ, members of Government are not expected to speak or vote against one another. It would be most unfortunate if they were always a ‘happy family’. Without going into consultations, I merely want a straight answer to a straight question. It is this. Does this represent the opinion of the Transferred Half or not?”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ Prima facie, when a member of the Select Committee gives his own dissenting minute, it represents his own opinion. No doubt in answer to a question put in this House, it was said that the opinion represents not merely his own but also that of Government. From that statement, does it necessarily follow that all these questions should arise? Is it not practically asking the opinion of individual members of Government?”

The hon. the RAJA OF PANAGAL :—“ I have already stated I am not going to answer the question. He said it was a straight question and wanted a straight answer. I do not fancy it is straight.”

Mr. S. SATYAMURTI :—“ I do not know what the hon. Member means, Sir.”

The hon. the PRESIDENT :—“ The hon. Minister said that it is not a straight question. I should like to know what he means?”

The hon. the RAJA OF PANAGAL :—“ The same thing that the hon. Member means.”

Mr. S. SATYAMURTI :—“ I take objection to the use of the word ‘straight’ by the hon. Minister. He said ‘I do not know if this question is straight’. I used the phrase this way. You very often say that you want a straight answer for a straight question, without meaning any kind of moral turpitude behind the question. But when the hon. Minister gets up and says : ‘I refuse to answer. I do not know if it is straight’, I submit to you to consider whether it is a legitimate remark to make.”

The hon. the PRESIDENT :—“ It all depends upon the meaning given to the word ‘straight’.”

The hon. the RAJA OF PANAGAL :—“ The same meaning as he has given; only in a negative sense.” (Laughter.)

Mr. S. SATYAMURTI :—“ I submit, Sir, it cannot be. It is not a matter to be laughed out. If you think so, I have to bow.”

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The hon. the PRESIDENT :—“ Whether it is parliamentary or not depends upon the meaning attached to it. When he says that the meaning is the same as the meaning attached by the questioner I must take it to be so ”

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Mr. S. SATYAMURTI :—“ I very much apologize to you, Sir. The question as to whether a particular word is parliamentary or unparliamentary depends entirely on the form, on its text. And the decision is entirely yours. I am submitting to you as a matter of English and as a matter of parliamentary propriety, apart from the views of the Raja of Panagal, however valued it may be. I am asking for a decision from you, of the circumstances in which he used it in reply to my question, that I expected a straight answer to a straight question, whether or not the use of the expression ‘ was not as straight ’ was Parliamentary. I am prepared to take your decision whatever it is.”

The hon. the RAJA OF PANAGAL :—“ I may remind the House that the hon. the Member for the University when he said that it was a straight question, he meant to say that it was a simple question. What I said means that it is not such a simple question as he thought it was.”

Mr. S. SATYAMURTI — ‘ I only wish that the hon. the Minister had the courage to withdraw his first statement ’

The hon. the PRESIDENT :—“ I should ask the hon. Members of the House to restrict the number of supplementary questions strictly to the answers given by the hon. the Law Member because I am afraid we are degenerating into a debate.”

Mr. C. RAMALINGA REDDI :—“ Sir, I merely wish to say that I propose to ask three or four questions purely bearing on the answers given here.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ My impression too is far from having a debate. My hon. Friend just now said having regard to the decision of the Select Committee that no evidence was to be taken on this question he did not express any opinion. Having regard to the statement that he made on the floor of this House when he accepted the Chairmanship of the Committee that he would accept it only on the condition that he must have liberty to enlarge the scope of the Bill, did he not consider it his duty to the Select Committee when it came to that decision of not taking evidence to advise the Committee that in his opinion at all events it was necessary to take evidence ? ”

Mr. A. RANGANATHA MUDALIYAR :—“ Has not that question been answered already, Sir ? ”

Diwan Bahadur M. KRISHNAN NAYAR :—“ I do not know when my hon. Friend began to substitute himself for the hon. the Law Member ”

Mr. A. RANGANATHA MUDALIYAR :—“ I do not claim to substitute myself for him ; but I thought I was present in the Council and I knew what was taking place here.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ Anyhow I am not aware of it. I want to know if he did not consider it necessary to advise the members as to the necessity in his opinion of expressing his strong view that evidence should be taken.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ If I remember right, I indicated my views.”

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Mr. C. RAMALINGA REDDI :—“ If he thought it was a question of such fundamental importance, could he not tell them that he would have nothing more to do besides acting as a Speaker and could he tell us why he did not try to bring about such an accommodation as he led us to believe that he expected? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I thought that it would have been more convenient, if these questions had been raised during the forthcoming debate on the Malabar Bill itself. But as I do not wish to shirk answering the particular question let me answer it.

“ The first decision was that no evidence should be taken. Very early in the proceedings it became evident that the position of the two parties, the jannmis and the tenants, were hopelessly at variance. In my remarks I pointed out that legislation would be impracticable and cannot be brought into effect unless they two could speak over the matter with each other and could come to a decision. The function of the Government and myself was to help in such a compromise being effected. But unfortunately I found it was impossible. As soon as the first decision as regards the kanamdar was passed, it became the part of wisdom for me to act as a mere Speaker and not in any other capacity. ”

Mr. C. RAMALINGA REDDI :—“ May I ask why he does not propose to introduce changes that he considers necessary during the further stages of the Bill in this Council? ”

The hon. the PRESIDENT :—“ That question does not arise. ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I have no objection to answer that question. ”

Mr. C. RAMALINGA REDDI :—“ With reference to the answer to the last question, that he considers legislation necessary and secondly that a Bill would be introduced as soon as possible, would he tell us whether it would be during the life-time of this Council or is it to be at some date in the future? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Sir, I have stated that legislation is, in the opinion of the Government, necessary and I may add that it is an opinion with which I share. But it is impossible for me to give any particular point of time but as I have already stated, the Government will introduce it as early as possible. ”

Mr. C. RAMALINGA REDDI :—“ May I ask once again whether that would be within the life-time of this Council or whether he would not commit Government to such a thing? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I cannot commit Government to that course by saying that it will be during the life-time of the present Council. In the first place, we do not know how long this Council would continue and whether it is going to be dissolved in September, October or December. I can only say that the Government will not take more time than is absolutely necessary for conducting the enquiries which they want to conduct. ”

Mr. C. RAMALINGA REDDI :—“ With reference to the answer that a Bill would be introduced for purposes stated by the hon. Member, may I ask whether the Government have already come to any conclusion as to the lines

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on which these problems have to be solved or do they propose to immediately appoint a committee or whether they would take advantage of the further proceedings and then try and bring about some accommodation so as to provide accommodation within the frame work of the Bill as introduced by Mr. Krishnan Nayar?"

The hon. Sir C. P. RAMASWAMI AYYAR :—"I may say at once that nobody would be more satisfied than myself if it is possible to introduce amendments to the Bill itself. As at present advised, our impression is that it is almost impossible to do so and radical changes have to be introduced so as to amend the Bill in the form that Government have in view."

The hon. the PRESIDENT :—"I think the House will now pass on to the next order of the day."

III

COMMUNICATIONS TO THE COUNCIL.

The Secretary then laid on the table of the House copies of the proceedings* of the meetings of the Finance Committee for 1925-26 held on the 6th to the 9th, 11th and the 12th January 1926.

IV

(Note.—An asterisk* at the beginning of a speech indicates revision by the Member.)

RESOLUTIONS ON THE REPORT OF THE EXCISE ADVISORY COMMITTEE—cont.

Mr. A. RAMASWAMI MUDALIYAR :—"Sir, I would like to associate myself with the general spirit and tenor of the resolutions in regard to the future excise policy of the Government. No one who has read through the whole of the report would fail to realize that there is a fundamental basis of unity in most of them. I am glad to see that the idea of putting forward a practical scheme, a working basis before the Government, has made gentlemen more responsible as regards the methods in which they have to ask for excise reform in the future. It may not be possible to do it in an airy fashion as we are accustomed to hear it said on public platforms. But here we have come with a definite problem and I am glad to testify that, in most of the resolutions, there is an underlying policy of practical work. My hon. Friend, the Member for the University, complained of the composition of the committee. I should have thought that, if there was one Member who was precluded in essence from complaining against the composition of it, it was the Member for the University. He said formerly that, following the dictatorship from above, he would not sit on any committee appointed by Government. It therefore comes with ill grace from him who has sent a reply like that on an occasion when the Government asked his help, that he should now make a complaint against the composition."

* Mr. S. SATYAMURTI :—"On a point of personal explanation, Sir, may I suggest through you, to this House and through you to the hon. Member for Chingleput that there are besides himself and others of his party several other sections of this House who might have been represented and to the best of my knowledge, except perhaps my hon. Friend Mr. Venkataramana Ayyangar, who sat on this committee, no other section was represented, except the Ministerial party"

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MR. A. RAMASWAMI MUDALIYAR:—"I was aware of that and therefore I said that it came with ill grace from a gentleman who declined to sit on the committee when he was invited to give his help. But I realize that, apart from that, the speech of the hon. Member for the University yesterday was moderate on this particular resolution. I am also surprised at the charge levelled by him against those members of the committee who partook in the rather elaborate discussions on this question and who spent days and, perhaps weeks, over the consideration of this problem. He seemed to suggest that as they were all partymen mostly, except the hon. Member from Coimbatore, Mr. Venkataramana Ayyangar, they had come to a decision and were there merely to give their token assent to whatever the Minister placed before them and asked of them. But, Sir, nobody who has read the report of the committee and particularly, no one who has studied the report not merely cursorily would see any justification for that statement, coming as it does from the hon. Member for the University. We have tried to do our level best, we have tried to bestow our best consideration and we were all conscious of the importance of the problem and the gravity of it. I do not think that any one could accept the proposition that we were there merely to give our signature to whatever resolution the hon. the Minister was proposing and put forward and we have the satisfaction that that charge is entirely unjustifiable. However, we have done our best at great disadvantage, and at great inconvenience and personal sacrifice, and we are not sorry that we have not been able to get the encomiums of the hon. Member for the University for such humble work as we have done in the committee.

"But apart from these preliminary remarks, let me come to the subject proper. I feel that in the resolutions that have been tabled, there is an identity of practice and policy and except in the resolution of the hon. Member for the University, the practical steps that have been taken from time to time are almost identical. The hon. Member for the University has, of course, put it in a passion which does not lead anyone to see what it is that he wants. The goal of total prohibition has been put by him, but the question is not so much as to what the goal is. It will be seen that all the resolutions agree in that respect, that total prohibition is the goal. But the question is what are the steps to be taken hereafter to reach that goal. Here the hon. Member for the University, not unnaturally, is delightfully vague. Let me read his resolution:—

'This Council expresses its dissatisfaction with the wholly inadequate recommendations of the Excise Advisory Committee, and recommends to the Government that they should declare their policy to be the total prohibition of the manufacture, consumption or sale of alcoholic liquor and that'

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and here comes the practical portion of the hon. Member's resolution,

'they should take immediate steps, specifically, to bring about total prohibition.'

"Sir, any one who knows the excise problem will realize that the exact difficulty is as to what specifically is the immediate step that has to be taken to bring about the desired end. And there my hon. Friend, politician as he is, knowing the advantages of polemics in politics, does not commit himself like a shrewd politician to any particular step. Because, the moment he does so, we might be able to go into the country and say: 'After all, the party which says that the drink evil must go is there and its considered opinion is just this.' Where is the difference between yourself and myself

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and my Friend's resolution? He has been talking a great deal about the coming elections and the necessity for attuning ourselves so far as the excise reform is concerned in a particular direction to meet the coming elections. My hon. Friend knows that the coming elections have been a much greater bug-bear on himself and his party than it can ever be on myself or on those who sit with me (Voices: 'Hear, hear.') and, the very manner in which this resolution has been drafted is proof positive, if proof were needed, that he realizes that on this question, which is going to be raised soon in this country, he dare not commit himself to any practical steps.

"Leaving aside my hon. Friend's resolution as unworthy of consideration by this House—I say that quite advisedly—I have great pleasure to say that, so far as the other resolutions on the subject are concerned, there is a great deal of practical identity of interest underlying them. My hon. Friend from Coimbatore has put forward a resolution which on perusal you will find is, in many respects, identical with the resolution put forward by my hon. Friend from Chittoor. The hon. Member from Nellore has put forward a resolution which to a great extent bears resemblance to the resolution of my hon. Friend from Chittoor. I shall say later why it is that I prefer the resolution of my hon. Friend from Chittoor to the other ones. I am only concerned at present with this that in these three resolutions there is a fundamental basis of unity and an attempt to tackle the problem not as a political weapon but as a practical issue. For, remember, Mr. President, every student of this question of drink, every one who is sincerely connected with temperance movement and every one who feels the great havoc caused by drink realizes that, more than anything else, the solution of the question lies not in making it a question of party warfare but in raising it above party considerations. I am convinced—I have associated myself with temperance preachers and workers—that the solution can only come by our putting our heads together and trying to understand that drink can be effaced from this country by making it a non-political question. I do not say that, merely because I am afraid of the lectures that my hon. Friend, the Member for the University may deliver to-morrow on this question, but I say that in all sincerity, feeling that that is the only solution of this question.

"Now, Sir, my hon. Friend read a few sentences from my own dissenting minute and, in his own usual way, made light of the fact that I have proposed what are called counter-attractions to the reduction of the drink evil. I know that my hon. Friend is quite intimately aware with most of the literature on the drink problem; but at the same time, I confess that in my opinion, as much attention has to be bestowed on this question of counter-attraction as can be bestowed on the question of drink evil itself and I say that with some little experience.

"My hon. Friend spoke of Upanishads. My hon. Friend's culture in Sanskrit is very well known. I am a comparative barbarian and, in these days when great men go about and say that Sanskrit and culture go together and that those who do not know Sanskrit are not able to realize culture, I confess I am a comparative barbarian. But even barbarians have sometimes that gift of nature which makes them realize humanity, though they cannot realize culture. And, as a student of humanity I tell my hon. Friend, in all humility, that this question of the drink evil is not going to be tackled merely by making speeches about the evils of drunkenness or by

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merely preaching that the masses are going to rack and ruin owing to this drink evil. An understanding of the human nature is the underlying essence for the solution of the problem of drink and, if you cannot understand what that human nature is which drives people to drink, you cannot solve this question. Whether this is culture or not, that was not, in my opinion, the way in which the ancient reformers among the Hindus solved a social question. They did not come with curses on their lips. They did not preach the question from a high pedestal. They were not going about the streets of the country saying: 'Lord, save us. We are better off than others.' But they tried to put themselves in the position of those who were suffering and tried to understand their difficulties.

'Now, if you want to understand what it is that drives a man to seek drink, you will realize the importance of the theory that I have placed in my dissenting minute, the theory namely, to provide counter-attraction. What is it that drives the labourer and the working man to the inn to the public house? Is it merely love of drink? Certainly not. Any one who knows how a man comes to take to the habit of drinking would realize that he goes there not to drink, not to derive an enjoyment out of the drink, but because there are several attractions in public house. Labourers in many localities lead a humdrum life. There is not the least artistic element introduced into their lives. They have no pleasure in life. From morning till evening six o'clock, they go on dragging, doing work, work, and work only and then return home and find nothing attractive there.

(At this stage Khan Bahadur Haji Abdulla Haji Qasim Sahib Bahadur took the Chair amid cheers.)

'That is the thing which drives these poor people to drink. If only you can provide some attraction which will take them away from the drinking house, you would have done a great deal in solving this question of drink. After all, Mr. Chairman, man is only a civilized animal. He wants some social enjoyment. He wants some opportunity where he can sit with his fellow-countrymen, where he can exchange conversation. What is the social life that you have tried to put forward before the ordinary man in this country? They have not got any clubs. They have not got any recreation houses or anything of the kind where they can go and spend a few spare hours and thus escape the miseries of their life and of their family and domestic wants. The working man who takes to drink goes there because he wants social life first and foremost, and when a man wants social life and goes there, he finds himself amongst practised drunkards. Naturally, the next step will be to take to drink likewise. Do you understand that underlying human weakness? If so, you would not talk so lightly and cheaply of this theory of counter-attraction based on the experience of the reformers in all countries in the world. Therefore, let me assure you that, side by side with controlling the drink evil, you have also got to take up this question of giving recreative amusement to the people concerned. Unfortunately, we have got public workers like my hon. Friend here who do not know what life is to the ordinary man in the street. Our public workers have no idea that life can be made pleasant and attractive and also bearable to the working man. The aspect of life which I want to propose very seriously before the House is that aspect of it which will really make it worth living not in the strictest sense of the word, by preaching higher philosophy, etc., but by making the people realize that there is something which they can live for, some enjoyment in life, some

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little pleasure, a little outing, an excursion here and a club there, some pleasure and some recreation. If you cannot do that, if you go and thunder forth against the evils of excise on one day when the labourer returns home at 6, and on the next day again thunder forth against the diarchical system of administration, you cannot put down the drink evil. You will be only driving them to drink more effectively. I have dilated on this subject because I feel that it is time that the attention of our public workers, of our reformers, of our temperance workers, etc., is drawn to this aspect of life, viz., that life ought to be made attractive. As I said, any one who has experience of the working of this system in western countries knows it. In Scotland—I believe my hon. Friend the Member for University has also visited Scotland and perhaps also he has seen the little town of Glasgow (Mr. Satyamurti:—‘Glasgow is a very big town.’) My hon. Friend says it is a very big town— I will say it is only a small town. In any case, those who have visited Glasgow would have seen that in the poorest quarters of Glasgow, in the East End, there is what is called the People’s Park—a place which is kept by the Corporation of Glasgow as a recreation centre—where there is an art exhibition, a concert hall and a winter garden to which a poor working man after his work in the factory can go, enjoy a little music, have a little non-intoxicating drink, roam about the garden and spend some hours in social enjoyment. It is thus that the municipal corporations in the west have tackled this question. They try to alleviate the misery of man. They try to introduce some little enjoyment into the life of their citizens. Therefore, I venture to think that side by side with all that we have been doing, we should induce our public workers and municipalities to introduce the artistic element into the common working man’s life. I believe there is a great deal of scope for the introduction of artistic element. If they do this, they would be doing something much more effective than that of putting down the evil with a strong hand.” (Cheers.)

* Mr. J. A. SALDANHA.—“I was quite amused at hearing my hon. Friend from Chingleput. He gave us hopes that he would be bringing forward a united resolution. On the other hand, he was speaking for the Minister inspired by the policy laid down by him in the report of the committee.”

* The hon. Rao Bahadur Sir A. P. PATRO:—“The recommendations of the committee are the recommendations of the committee and not that of the Minister.”

* Mr. J. A. SALDANHA:—“The recommendations of the committee have been amply proved to be either inspired by the Minister or based upon his minute.”

* The hon. Rao Bahadur Sir A. P. PATRO:—“I have not had the privilege of instructing the committee to do anything. The committee was an independent body. They based their recommendations on the evidence which they collected for several days.”

* Mr. J. A. SALDANHA:—“I should like to know what the policy of the hon. the Minister is. I should like to know also whether he accepts the resolution of Mr. Satyamurti or the other resolutions. If he accepts any of these, I do not want to speak at all.”

* The hon. Rao Bahadur Sir A. P. PATRO:—“I am sorry to interrupt the hon. Member. He is very impatient and is carried off his feet too soon. He does not wait till the Minister makes his reply.”

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* **Mr. J. A. SALDANHA** :—" Then I shall discuss, Mr. Chairman, the policy followed so far by the hon. the Minister as representing the ' happy family'. I believe in this case the hon. the Minister evidently is inspired to a certain extent by the mandate of the Reserved half and the Reserved half in turn by the mandate of the Government of India. After all, here, we are discussing the policy laid down by the Government of India. "

* **The hon. Mr. T. E. MOTILAL** :—" On a point of order, Sir. Does the hon. Member mean to imply that the recommendations of the Advisory Committee were inspired by the Reserved half? "

* **Mr. J. A. SALDANHA** :—" I do not say that its report is inspired. I am speaking of the policy followed by the Government so far. The policy so far followed by the Madras Government, I think, has been inspired by the Reserved half and the policy of the ' happy family ' has been inspired by the Government of India. That policy is based upon what has been called the policy of temperance. The temperance policy that is followed at present by the Government is a half-hearted policy. I must say that the temperance policy is not at all carried into effect. My doubts on this point are based upon facts and not upon surmises. Before I go to these facts, I just want to say that this half-hearted policy of the Government is based upon two considerations, namely, the fear of reduction in the revenue and the fear that there will be a reduction in the imported liquor into this country. I know the way in which sales of toddy are conducted in South Kanara and how murders are committed there. To a large extent women are toddy sellers as members of the families of the contractors or renters as in Ellore as I learn.

" The next point [that I wish to touch upon is how co-operation of the health officers is discouraged by the Government in the direction of temperance reform. Recently we had a baby week and every one of us had something to do with that movement. But I was surprised to find that health officers had been practically debarred by Government from lecturing to innocent people upon the evils of drinking. I have not found a single health officer coming forward and saying something to those who are suffering from the evil effects of drinking. The children that are born of parents who have been in the habit of drinking are of very weak constitution. That has been observed by many Western doctors. I wonder why health officers should be prevented from lecturing on the evils of drinking. This shows the earnestness on the part of Government in the cause of temperance reform.

" Now, I want to say just one word about illicit distillation. Illicit distillation in India is frequent, because the liquors which are available to the poor people are of a very inferior character. Since I started the agitation two years ago, I must admit there has been a considerable improvement in the quality of liquor "

* **The hon. Rao Bahadur Sir A. P. PATIL** :—" Is it the personal certificate or the personal experience of the Speaker? "

* **Mr. J. A. SALDANHA** :—" I rejoice in drinking European liquors (laughter), but I should feel proud to drink if the quality of Indian liquor is made as good as that of the European liquor. India has got very good materials and Indian liquors can be made of very superior quality. We have got grapes in Kashmere and other places from which we can extract very good wine. If industrialization of liquor production is not possible, we shall have liquor of a very inferior quality. People who are rich enough can afford to

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go in for European imported liquors. But we require liquors for our garden parties, for our marriages and so forth and we cannot afford to spend a large amount on foreign liquors. These are all facts which have to be faced. We have to supply our guests with liquors on certain occasions."

(Rao Bahadur T. A. Ramalinga Chettiyar :—" Shame.")

* Mr. J. A. SALDANHA :—" I would have to offer the hon. the Minister himself the European wine though I would be proud to give my guests Indian liquors if good. But the latter are of a very inferior quality and I should be ashamed to give them to my guests. We have therefore to depend for good liquors on European manufacturers. In these circumstances, I would advocate a policy that each taluk in each district should have a distillery so that the large quantity of materials that are now wasted may be used for manufacture of not only liquor but also sugar as a bye-product."

* The hon. Rao Bahadur Sir A. P. PATRO :—" On a point of explanation, Sir? Does the hon. Member suggest that Government should start a distillery in each taluk in order to be able to supply proper quality of liquor?"

* Mr. J. A. SALDANHA :—" Yes; if the Government are going to adopt this half-hearted policy of temperance reform . . ."

* Mr. V. C. VELLINGIRI GOUNDER :—" On a point of order, Sir. Since the matter has come in the form of a question and answer between the hon. the Minister and the Speaker, if the hon. the Minister has got any remarks by way of reply, may I suggest that he may reserve them till the time of his reply? For, if he were to interrupt the Speaker by way of questions and the Speaker were to answer the same, then that would consume a lot of time. I think that ought not to be allowed."

* Mr. J. A. SALDANHA :—" Sir, if the present temperance policy is to be continued and if they are not going to introduce total prohibition for a long time to come, I think national industrialization of the liquor production is desirable. That is also what I urged before the Taxation Enquiry Committee."

" I wish to close with one more remark. Much has been said about the prohibition policy that has been followed in America and how it has been abandoned. We must credit Americans with some commonsense. They are a most practical nation and it is they that saved Europe at the last moment from wrecking. If they have persisted in their prohibition policy, I think we should be very foolish to think that they have failed in their policy. I should think that prohibition policy has been a great success in that country."

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—" It seems to me strange that we, belonging as we do to the Islamic religion, should have been keeping quiet for the last two days over this debate. But to me it looks strange that this question should have engaged the attention of this House for such a length of time. I should personally have thought that this is a matter more for religion and for society to take action upon rather than for the State to interfere in. It is indeed very deplorable that we should have taken so much time of this hon. House to discuss this question and to find out ways and means for tackling this problem. I am proud to say, as a Mussalman, that State interference is not necessary in this matter. (Hear, hear.) Of course, there may be a black sheep here and a lame one there among the Mussalmans; but as a class, the Mussalmans are not addicted to this habit, since our religion says that drink must be avoided."

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Mr. A. RANGANATHA MUDALIYAR :—" Does the hon. Member speak for his district or for the whole country when he says that members of his community are not addicted to this habit ? "

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—" All over the Presidency, Sir."

Mr. A. RANGANATHA MUDALIYAR :—" I beg to contradict him, Sir."

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—" As I have already said, there might be some exceptions ; but they go to prove the general rule that drink has been driven out of our fold."

* **The hon. Rao Bahadur Sir A. P. PATRO :—**" Hear, hear."

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—" I do feel that there are other communities which feel the necessity for State interference. But I should like to say here that such an interference should be very guarded. I take it that the opinion is unanimous as to the ultimate goal of prohibition. As a Mussalman, I subscribe to it without even a second's thought. I would even go so far as to say that it must be adopted today. But the agitation must come in, not from the State but from other agencies. I am fully conscious of the limitations of the State in this matter, as in other matters. Opinion is also fairly unanimous that the goal should be reached within a period of twenty years. I say this in spite of the opinions of some of the hon. Members of the formal Opposition Benches and those of other hon. Members who remained neutral yesterday. But having accepted the goal of prohibition to be attained in a period of about twenty years I should be wary in adopting the various means that have been suggested for attaining it. A certain set of politicians about whose honesty of conviction there is not the slightest doubt, held that picketting would lead us to the goal. We all know what a dismal failure it was. So also with regard to the other means. That is why I say we must be careful in adopting the means. Personally, I am in favour of the problem being examined by a committee as suggested by the hon. Member from Chittoor. I am aware of the remarks made by various hon. Members about the fruitlessness of the labours of the Excise Advisory Committee which sat for so long a time. But that committee had no mandate from this House. Let the present committee—be it the Finance Committee or any other committee—take this mandate from us that the goal of prohibition should be reached in a period of about twenty years and investigate the ways and means and make proposals for the House to consider. Since any hasty decision by this House will have to be repented later on, I support the proposal for a committee with a mandate from the House that the goal of prohibition should be reached in a period of twenty years.

* **Mr. K. KOTI REDDI :—**" Mr. President, Sir, I feel strongly on this question ; because I can claim some experience not of actual drinking but experience with the drinking classes in my district. The question is whether drink is good or bad or whether one can afford to remain neutral with regard to this question. If drink is injurious to the health, the intellect and the morality of the individual as well as to the family to which he belongs, nay, to the whole community to which he belongs, the problem must be solved immediately. If, on the other hand, it is held to be good to the individual and the family and the community, means must be devised to open more liquor shops where there are coffee hotels so that the Government might get more revenue. We cannot afford to be neutral in regard to this problem. Even if drink is considered to be not bad, it is the duty of the

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Government to tackle the problem, since Government are benefited by this drunkenness and the drink revenue is derived mostly from the poor classes. Though some of the well-to-do classes also drink, the major portion of the revenue is derived from the poorer classes. It is a form of taxation and it ought to be put an end to at the earliest possible moment. Unless we come to the conclusion that drink is not bad, we cannot allow the drinkers to drink. The learned doctor who spoke on the question yesterday gave a detailed analysis of the various injurious effects of drink on the human body; and after hearing that, nobody here could say that drink is not bad to the human system. If then Government is really anxious to put an end to this evil in the course of a few years, the only solution will be total prohibition at any cost. The methods suggested by various committees and conferences are only palliatives and not remedies; they do not go to the root of the matter. They are defective in many respects; they do not touch the vital question. In this connexion, I should like to answer a few objections regarding total prohibition. It has been argued that total prohibition would amount to an interference with individual liberty. I am afraid that the hon. Member from Trichinopoly has not gauged the real state of things, when he said that the problem must be left to the society, to the religious consciousness of the society, to its sentiment to solve and that the State should not interfere. So far as my experience goes in the Ceded districts, it is the Muhammadans that drink most. No doubt there are a few well-to-do Muhammadans there who do not drink, but the working classes who form about 10 or 15 per cent are addicted to this habit. I do not therefore think that mere religious sentiment is quite enough to put an end to this. Every civilized Government interferes with individual liberty. In the interests of the society, and very often even in the interests of the individual himself, the Government interferes with the liberty of the individual. If it were not so why should not the Government allow the individuals to steal? Drunkenness injures not only the health of the individual but also it is injurious to the society at large. Drink is at bottom the cause of so many crimes. I know that so many crimes would not have been there especially in the Ceded Districts, had it not been for the drink. Other hon. Members have pointed to the example of America and said that prohibition had been a failure there. But the evidence there is not conclusive. I do not myself know the existing state of things. There is a conflict of opinions. Besides, I wish to point out that the analogy of America does not hold good here. The Westerners' sentiment with regard to drink is altogether different from that of the Easterners. They do not feel that drink is a sin; they only think that drink is injurious to the health of the individual. It is not with them a question of religion; it is only a question of health. Whereas in this country of ours, all the great religions such as Hinduism, Muhammadanism and I believe Christianity also, lay stress on the sin of drinking. This is a great help to us. This is the great difference between the sentiment of the drinking population in the West and that of the East. There is a good deal of difference between the West where not less than 90 or 95 per cent of people take to drink and this country where only 5 or 10 per cent do so; and the analogy of America is really misleading and ought not to be applied here.

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"Then, Sir, it has been said that there is the difficulty of finding finance. If the Government really want finance they can get it. They have got money to improve the salaries of officers and so many other things. When they say that they have not got enough finance to meet the deficit in

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the revenue if total prohibition is introduced, they are not serious in the matter. I think that drink is really responsible for a good deal of crime and as soon as total prohibition is introduced in the country, it will not be necessary to have such a large number of police officers as we have now and some of them can be employed for the purpose of preventing illicit distillation."

The House adjourned for lunch.

After Lunch (2-30 p.m.).

* The hon. Sir C. P. RAMASWAMI AYYAR:—"I regret that my hon. Friend Sir Venkatarreddi Nayudu is not in his place. He asserted that the report was not sent to him. The register shows that it was sent to him exactly in the same way as it was sent to other hon. Members."

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I was referring to the objections that were raised against the introduction of total prohibition. As regards the question of finance, there is no doubt that from the country's point of view, it is not a question of loss; on the other hand it is a question of gain. The money that we lose as excise revenue is still in the country. Not only the money is there but the materials such as jaggery that are relieved by the introduction of total prohibition will be in the country for better use. A large number of people who are engaged in transporting and producing liquor can be better employed. From the country's point of view there is no financial loss if total prohibition is introduced. The only difficulty is that the Government will not be able to adjust their finance at once.

"I was saying that, since drink is responsible for a good deal of crime in this Presidency, there would not be any need to have so many police officers, if drink is prohibited altogether. In that way we can save some money.

"Moreover, poor people will become more prosperous and will be able to contribute some tax to the State. If it is absolutely necessary, we can go to the extent of taxing them.

"Then there is the question of the provincial contribution. As my hon. Friend Mr. Ramalinga Chettiyar said that though we have had to contribute a large sum of money to the exchequer of the Government of India, in order to meet our present demand, it is a god-sent amount. Whatever the necessity of other demands may be, the amount of provincial contributions that is relieved ought to go first to meet the demand that will be made by the introduction of total prohibition instead of utilizing it for other developments. I am prepared to go to the extent of saying that even education and other matters can certainly wait until drink is abolished.

"Then, Sir, there are possibilities of further retrenchment and if all these resources are not enough to fill up the void that is created, I think we must bear further taxation, if necessary.

"The other objection that was raised was that, even though total prohibition is introduced, illicit consumption would still go on. I am not in a position to know why the Government think that illicit consumption will go on. It is going on now, because the Government do not take any effective

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steps. I think that the strength of the Government will be equal to the occasion. No doubt more preventive staff will have to be appointed in the beginning. With the help of the police and with the help of the people, the Government will be in a position to meet the situation.

"The methods that are suggested in order to attain the goal of total prohibition are not really satisfactory. In the way of each of the methods such as, local option, licensing boards, etc., there are difficulties. I only say that it is possible to find a solution. The only difficulty so far as I can see with regard to the introduction of total prohibition is the question of finance. If the Government think that they cannot find the necessary amount of money, if prohibition is adopted throughout the whole Presidency at once, let them consider if they can do so in ten or twenty years. When total prohibition is our goal, I would suggest that instead of trying other methods we can introduce total prohibition in particular areas. Whatever methods are tried, there are difficulties. Even if you want to reduce consumption gradually, you will have to appoint a large preventive staff. When total prohibition is our goal, why not try it in some districts. I say this on my responsibility. If the Government are really serious in the matter of total prohibition, if the only difficulty is about finding finance, and if they try the experiment in my district, I shall try as far as possible to see that within one year, the drink evil is eradicated. I shall help to see that there will be no illicit consumption in the district. I will tour throughout the district, take the help of the people and see that no illicit consumption goes on. No serious crimes such as murder, etc., take place, with very few exceptions, without drink at the bottom. It is eating the very vitals in some parts of the community to which I belong, not to mention classes like the Muhammadans, depressed classes, etc. People seem to think that drink is necessary. In this connexion I have to say that I see no difference between toddy and arrack. Both are equally bad. I have seen drunken brawls amongst people who take toddy that are equally bad as those amongst people drinking arrack."

* The hon. the PRESIDENT :—"I believe the hon. Member has already spoken for ten minutes before we adjourned for lunch. I think he will close his remarks. May I also suggest that hon. Members will refrain from repeating the arguments that have already been placed before the House? We have heard enough of the injurious effects of drinking."

* MR. K. KOTI REDDI :—"I only wish to say that the remedies that have been suggested are only palliatives and do not go to the root of the matter. The only solution that seems to be possible is to try prohibition in various districts. If the Government come to the conclusion that it must be put an end to, say in ten years, they can try it in two districts each year. What is possible in a State which is ruled by a woman, the Begum of Bhopal who has given her consent to absolute prohibition and who thinks that the prosperity of her people is more important than the revenue to the State, would be possible, I think, for the Government of Madras which is manned by men."

"If you will give me permission, I want to move an amendment to resolution No. 1 to the effect that prohibition can be tried in some districts each year."

* MR. S. ARJUDASWAMI UDAYAR :—"Mr. President, I think hon. Members are importing into the discussion of the drink problem their personal aversion or dislike for certain articles of beverage, which is the result of their early training, the result of certain religious principles or caste regulations that

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had been taught to them in their childhood, the result of the 'social environment in which they have been brought up. If as a result of these influences, they think honestly that certain articles of food and certain beverages are bad, does it follow that they must be necessarily bad for others who are under no such restraint? They do not necessarily become bad in themselves. I would ask them to discuss dispassionately the ethics of the drink problem. Alcoholic beverages are not inherently and essentially evil. The use of alcoholic beverages is no more an evil than the use of the cinema, the theatre or the races or of literature, or painting or music or of fine arts. It is only the abuse of them, the inordinate, the immoderate and the excessive use of them that makes them very serious evils requiring repressive legislation. Very often my friends, the reformers, are a little lacking in discrimination. Because they see the ill-effects of alcoholic drinks on people who overdo them or make excessive use of them, they fail to note the normal lives of hundreds of people who are never guilty of excess. They fail to differentiate. I would ask them not to fall into that mistake. I, for one, am of the opinion of the vast majority of the Members of this House. I think that there should be a system of checks and restraints and that a serious endeavour should be made to reduce the quantity of liquor sold and the quantity of liquor consumed, because there is the danger of people who generally do not drink, being induced to drink, or of people who drink moderately, being induced to drink to excess, when liquor is thrust under their nose, or can be got from within a stone's throw from their house. The sin is not in the drink, but in the person who gets drunk. Still every inducements should be offered to encourage abstinence. I think my hon. Friend, Mr. Saldanha, did not make his meaning clear; but I, speaking on behalf of the Indian Christian community, may at once assure the House that I am at one with the members of the other religious communities in saying that every effort should be made to reduce the consumption of liquor and also to see that no inducement, no allurements whatever, is held out to people who never drink or to people who drink moderately. That was what I understood to be my hon. Friend's idea; but he did not make his meaning quite clear. He was in favour of prohibition. What he meant perhaps was total abstinence as my hon. Friend from Coimbatore, to be brought about by an embargo on the importation of foreign liquor and, by the gradual closing of distilleries?"

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* Mr J. A. SALDANHA :—" May I point out by way of personal explanation, that what I condemned was the weak policy of the Government, the half-hearted policy? There is, between the half-hearted policy of the Government on the one hand and industrialization of liquor on the other, the only course, the only safe course, namely, prohibition."

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, I think the remedy is not surely prohibition, total prohibition or immediate prohibition. For the main reason that prevention of evil by legislation is an impracticable ideal. (*Cries of why?*) I will show why. Preventive legislation, in the first place, is very hard to frame, ineffective in operation and easily evaded. And, if I remember right, the hon. Member for the University himself in that passage which he read, spoke of the widespread evasion of the amendment in favour of prohibition. Seeing therefore that preventive legislation is certainly inefficient in operation, the remedy to be chosen is different. And I would ask the hon. Member for the University to give me an indulgent

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hearing and consider the circumstances under which prohibition was introduced in America. First of all, Sir, the House must remember the excesses to which the trade in America went, the arrogance of the trade, advertising liquor, defying the attempts of the temperance reformers to introduce the very necessary and salutary legislation, diverting large profits for carrying on political propaganda in favour of the liquor trade, going to the hustings, setting up their candidates, defeating or trying to defeat the candidates of the Anti Saloon League: all these things naturally alienated the sympathies of the majority of the Americans. The trade assumed a defiant and arrogant attitude which American commonsense could not tolerate. Secondly, Sir, there were the abominations of the saloon. The old ale—house or road—with whatever defects was on the whole a decent affair, and interwoven with much romance celebrated in song and venerable tradition. But the saloon was seldom respectable and too often a nest of the lowest elements in the political and social life of America, with the result that American missionaries threw themselves into the contest and very many who were opposed to prohibition, very many moderate drinkers also threw themselves into this campaign, because by some means or other, even at the cost of adopting a very extreme expedient, they wanted to be rid of that great social canker. I would ask hon. Friends on both sides of the House to ponder well, to consider whether drink is a national evil, in this country, whether it has become so great a political, social or economic evil that Indian society for its very existence, for its self-preservation must necessarily have recourse to this extreme measure. The hon. Member read a passage saying that prohibition has been a success, while some other hon. Members on this side said that prohibition has been a failure. I may assure the House that we have literature speaking both of the success of prohibition in America and also of its failure. But surely hon. Members will not charge me with exaggerating things when I say that, considering that, in spite of nine or ten years of arduous enforcement, there are evasions, smuggling, bootlegging and a thousand and one ingenious devices resorted to even by respectable men for obtaining liquor and there is a kind of growing contempt for law, I think that I should be held to be very fair in stating that the amendment introducing prohibition is violated as much as it is observed. To make up for financial losses I know that taxes are imposed on industries in America. India is a poor country and our industries are nascent and I doubt whether it will be possible, even remotely, to make up for the loss of revenue, by this means. Apart from that question, Sir, I would ask hon. Members to consider how some European States have grappled with this problem. Prohibition was tried in Bolshevik Russia. It was only the other day that we had the startling statement that people are allowed once more to drink *vodka*—I think it is their favourite liquor—and we are told that there was a terrible rebound and very many died because they drank to excess. Local option was tried in very many countries and it was given up. Therefore it seems to me that the safest policy would be to concentrate our energies—I would ask my hon. Friends to pay attention to these words—on the abolition or drastic control of distilled spirits such as whisky and brandy or strong country liquor and make a reasonable allowance for or allow reasonable opportunity to light wines and light beer. I think in our country, toddy, especially fresh toddy, will come under that category. The late Mr. Leith in the report before us says that he would prefer people drinking toddy rather than arrack, toddy being as he

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himself admits considered to be food. Experience shows that in European countries the drink problem has gone on, hand in hand, with distilled spirits like whisky and brandy while sobriety goes hand in hand, with reasonable opportunity or liberty allowed to light wines, light beer with small alcoholic contents. Sir, with regard to the amendment moved by my hon. Friends, Mr. Ramalinga Chettiyar and the hon. Member from Chittoor, I am glad to find that they have clinched the issue. There is one feature, however, in the recommendations made by my hon. Friend from Coimbatore, namely, the fixed fee system which I think is a measure of doubtful utility. When people pay a certain sum, they naturally try to exploit and make as much money as they possibly can. We must try to arrive at a far more satisfactory system than that. And in the resolution moved by my hon. Friend from Chittoor there is provision made for the financial resources of the country being considered with a view greatly to make up for the loss of revenue which would result from the reduction in the consumption of liquor by the closing of the shops. However, beyond a pious wish no definite scheme has been put forward. As I have already stated, our efforts ought to be confined to the best methods of reducing the consumption of liquor by discouraging the sale of liquor so that in course of time, without having recourse to prohibition, to force of law, we may see practically total abstinence prevailing in the country. And, if I remember right, that was the very word used towards the conclusion of his speech by the hon. Member, Mr. Ramalinga Chettiyar. He spoke of total abstinence twice. If many shops are closed and if people are discouraged and do not care to deal in intoxicants which have ceased to pay, and if the consumption is also reduced, total abstinence for all practical purposes must naturally result or people will have to abstain voluntarily or make a virtue of necessity and abstain from alcoholic drinks. And surely abstinence is a virtue like temperance; whereas prohibition with its resort to the force of law is not a virtue, not a thing which will work for the good of the country. The chief reason against prohibition is that it will be a real invasion of the personal rights and liberties of the people. Not to speak of illicit distillation or the resort which people will have to intoxicating drugs or other results what about the sufferings which will be entailed upon the poor? If they go to a tope for any purpose, they will be suspected of going there for drinking and shadowed by detectives, and searches may be made, at any hour of the day, even when the elder members of the family are not near for the detection of liquor supposed to be fraudulently got or stored or any apparatus for distillation of liquor or for the tapping of trees. Now, why should we give that terrible power to the police officers? The rich may escape. But what about the poor? Considering all the disadvantages resulting from prohibition, such as boot-legging, graft, boat running, abuse of power by petty officers. I believe hon. Members will confine their attention to the best method of bringing about the consummation of things as to which all are agreed, namely, the reduction of consumption of liquor and the natural fruition of the right policy adopted by the House, namely, the gradual introduction of total abstinence, without any recourse whatever being had to the force of law or what is known as prohibition, in other words, to the creation of a state of affairs, where there will be nothing to prohibit."

* Mr. V. C. VELLINGIRI GOUNDER :—" Mr. President, I want to say a few words on the motion before the House. The evil of drink has been

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admitted on all hands; but the steps to remedy it have to be considered by the House. In the resolution tabled by my hon. Friend, Mr. Ramalinga Chettivar, the paragraph, viz., (d), that auctioning of shops should be abolished and a fixed fee levied, is one on which I wish to make a few observations. I was able to study some literature on the auctioning of shops in provinces like the United Provinces and Bengal and I have had some opportunities to compare with it the systems prevailing in Madras. The auctioning system is strongly condemned in the United Provinces and it is curious the reasons for such a course happen to be the very reasons on which the Madras Government say that the auctioning system is the best. In that system, there is every inducement given to people who want to force up sales and we know on those occasions how Excise Officers induce people, even make them forget their senses and bring them to the auction room, make them bid unusually high, so that soon after when they leave that place, they find their position very difficult and attempt in all ways to recoup the money. They have to take recourse to all sorts of practices to attract people in so many ways. They have got gambling, and they use all sorts of means of arousing factious spirit or taking in more people to their side and inducing people to commit such crimes. In this way they stimulate crime. Apart from that, even if the renter finds that he is unable to recoup the auction amount, when it is too high, he has the remedy, not a legal one in the sense used or interpreted by the officers, but in other ways, to have the sales in any place he likes. And that itself gives room for a large number of illicit sales. In order to bring into record some cases, showing that these officers have detected a number of illicit cases, they even ask the people who do this illicit work to consent to their being charged and then ask them to come before the court and bear any small fine or slight punishment that they may be made to undergo. The next moment, they will say, that fine can be recouped afterwards by opening another shop in these illicit transactions. This is also the case in regard to the illicit distillation of arrack. Now, on account of this picketting and anti-drink movement, the Government without caring to know the public feeling began to give all sorts of help to these abkari renters. The man in the street knows how this abkari administration is being conducted in those places. The Acts and Laws will be only in the statute-book, but are not at all found in observance in these places. They are not observed in any manner at all. Any amount of toddy or arrack can be got at any time or at any place and for any purpose. That is the condition of things. I have stated this only to give an idea of what is going on, and that is how the law is respected. Even the police people have not been able to find out these cases, and the police administration suffered and crimes went undetected. All that is attributed to the way in which the Excise administration is being carried on. I am not at all expressing any idea of total prohibition or advocating any fixed policy or any such thing to begin all at once. It is an impossible thing to devise or come upon any definite steps in this discussion. There are many things to be considered. Localities differ. Districts differ. And there are different places where different treatment is to be given. I find in a certain pamphlet issued by the Temperance Society Bureau at Delhi some useful remarks made about the Excise system. They say :

'The Punjab Excise Department in one of its reports confesses that the amount of liquor which is illicitly distilled and drunk renders it impossible for Government to give effect to the principle that the maximum of revenue should be raised from the minimum consumption.'

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"This is the very old, old policy of the Madras Government. This policy of maximum revenue and minimum consumption which the officers themselves too often pronounce is a total failure. Then, the Government profess in one of the statements issued as questionnaire to be answered by the people the old Government of India policy that they do not want to interfere with the habits of the people, that it is outside their duty, that they must make provision for the needs of persons who require drink, that however temptations may be minimised and that they will discourage excess, etc. These are very nice to read and to hear people argue about, but how are all these things to be conducted? Is it possible by any new rule or restriction which has not yet been enacted to eradicate or considerably lessen the drink evil? It is quite impossible. To be a success, it requires that people should be taken into confidence in those areas where there are these practices. Unless co-operation is elicited from the public, it is impossible to work any rule or condition. Much is said about illicit transactions. Illicit transactions are things which are very common, and they have become regular practices. It is impossible for the Government to prevent such things unless they take the public into their confidence and unless they value public opinion and give real help to the people who are working for it. The Government themselves say, and the evidence which they have recorded in the report says openly, that the growth of cases of illicit distillation is due to the Excise policy of the Government. The more they restrict those who are addicted to drink, the more they will drive them to illicit means, because they know how to find drink within the means at their disposal. For so many years the Government have been professing that they are taking note of public opinion and are devising so many experiments and that they have tried so many methods. They have made all these professions but with any amount of argument they are capable of advancing, they say that all these have proved a failure. If they are really earnest in putting down this evil, they would have devised some steps; and some remedy would have been found. I may say . . ."

* The hon. the PRESIDENT:—"Will the hon. Member make an attempt to bring his remarks to a close, because he has exceeded his time-limit?"

* Mr. V. C. VELLINGIRI GOUNDER:—"Yes, Sir. From the way in which the hon. the Minister for Excise is attempting to bring about remedies to these evils, there is not any hope of his showing any real interest in devising remedies. From the answers given yesterday to questions Nos. 1243 and 1245 it will be clear. The first question was put by Mr. A. Ranganatha Mudaliyar and he asked whether the villagers concerned (of some specified villages) all these years have been systematically asking for the permanent closure of the shops in their villages and again reminded the Government of their request in August last and if so, what orders were passed by the Government upon it. For that, the reply was: 'Mr. Sivasankaram addressed the Collector on 13th July 1924 about the closure of these shops and the leading ryots of the three villages appeared before the Collector on 5th July 1925 and gave an undertaking to see that no malpractice of any kind occurred and to help the authorities to detect such, if any. On the recommendation of the Collector, the shops were closed permanently by the Commissioner of Excise in 1925.' The permanent closing came after so much trouble. But for Mr. Sivasankaram who was a former colleague of ours there would not have been any hope for these people. It was because

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he persisted in that question that, although the villagers tried their best to remove the shops from 1921 or 1922, they were actually closed in 1925. There were no bidders, no sales, and even the contractor applied for remission of fees, and yet the shops were being auctioned every year and the Collector asked the villagers to see that no malpractices are allowed to occur. There is no reference made to any malpractices having occurred all these years.

"Take the answer given to the question No. 1245 (b), and that is: 'The policy of the Government is, as stated by the Collector, to consider the local demand when deciding the number and locality of shops.' Here the policy is stated to be 'local demand' consideration. Taking the meaning of this answer and the answer to the previous question, we should see whether there was any demand or not. We find that without there being any demand in these villages in the Anantapur taluk, actually a toddy shop was forced upon the villagers. This is proved by the fact that from 1921 to 1925 the contractors applied for remission as there was no sale. That is all that is on record here. That is how this *real attempt* was made to know the feelings of the people in that locality. That is how we are getting proper response and support from our Excise Minister for all our demands."

* The hon. the PRESIDENT:—"I think the hon. Member had better bring his speech to the end. He has exceeded the time-limit by five minutes."

* Mr. V. C. VELLINGIRI GOUNDER:—"Now, I am not, as I said, for keeping any particular object or goal or policy in view. What I submit to the House is this: If we want any real advance made in this direction, there is no use of our devising any methods in this House. A committee or responsible body will be asked to function as suggested, as an advisory body. That body will be given the power to know the feelings of the people, to see how many shops are to be fixed, whether the prices are to be reduced and even whether they should be increased. Increasing does not necessarily mean increasing the drink evil. To put down the drink evil means, to find out in what way the drink evil increased to such an extent as it now exists to-day. The drink evil did not rise to such an extent in one day. At first a whole district was given licence, then a division, then a taluk and then a village. Just ten years back every village had a shop, and then they reduced the number of shops. The reduction has no meaning at all, unless you find means of educating the people and making them understand their difficulties and say in what way drink evil is affecting their lives. Unless such steps are taken, there is no meaning in reducing the shops or in placing any restrictions. The Government is bent upon having only its revenue. But last year they have said that the loss of revenue is no consideration to them. Now the question of revenue has become a great question. They say the revenue is to be recompensed and who is responsible for that. It is Government. It is the duty of the Government to find out ways and means. People are prepared to pay revenue but the Government do not take the people into confidence. They do not give either power to the people or pay any regard to popular opinion. They ought to give full power to any new bodies that might be created in this behalf hereafter. Unless the new bodies are given power, there is no hope. It is the auction system that is responsible for the increase in revenue, and its consequent ruination of the country."

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* Sir ALEXANDER MACDOUGALL :—“ Mr. President, Sir, I request the House to excuse me for the few remarks that I wish to make on this question. From the appearance of the House it is obviously weary of the prohibition debate, and if I intervene at this stage, it is only to prevent, if possible, one of those things that we have been hearing a great deal about, from being put on our statute book. That is a pious resolution. We have heard much yesterday of pious resolutions and I am afraid that this resolution before the Council to-day is really a pious one. I believe it will be better if we consider the matter as having been talked out. The Government have heard from every side of the House all the great evils of the drink traffic and the opinion has been expressed from various places in this House that prohibition is the only safeguard and the only thing that will remove the evil from our midst. That, in my opinion, is looking at the question from a wrong end. From time immemorial, I may say, the human being has felt the need of some stimulant and for thousands of years we have been accustomed to it. Cellars have been made in every country in the world and the manufacture of it is common everywhere. Now you want to stop the consumption. With what result? The only way in which the drink traffic can be stopped is by educating the people who are addicted to drink. It is no good closing up the distilleries and closing up the arrack shops and the toddy shops; because if we go on drinking there are people who are willing to provide it. In any case, drink appetite is there and if there is a possibility of giving effect to that appetite, it will be done. This House is not exactly the place where a resolution on prohibition should be brought. Prohibition to be effective in this country must be all-India legislation. There is no use of prohibiting drink in the Madras Presidency only. If the other provinces do not follow suit, illicit traffic will continue in Madras. It is a question for the Legislative Assembly as it is an all-India question. Even then I would say it will be some years before the country is even ready for a plan. It is for the temperance reformers of this and the other Houses to begin with their constituents to carry on temperance work among them and come to this House with the full assurance that the people are for prohibition and then pass the law for the whole country to do it. Madras with its long coast lines, ill-guarded frontiers of Native States and other presidencies will never be without drink as long as the other States and presidencies do not have prohibition. So that instead of bringing forward a resolution here, I think our friends who are keen on it should go to the constituents, should go to the bazaars, should go to workshops and preach and educate the people that the money spent in drink could be better spent on their families and themselves. I am very pleased to learn from the Members of this House that, according to the Muhammadan religion, drink is prohibited. Hindu religion also prohibits the use of drink. If people refuse to obey the laws of God, do you think there is going to be much respect for the man-made laws? In connexion with this restriction of the place of sale, etc., we have a Local Option Act in Scotland where periodically they will have dry or half-dry areas. The result has been that in one municipal election you will have a ward dry and in the next election it will again be wet. In dry areas what is the result? In a particular street, one side will be in one ward and the other in another ward. Public houses on one side will be closed and they will be open on the other. With what results? The drunkards flock into the wet side, with the result that those who may be looked upon as nuisance create nuisance on the wet side and people who belong to the wet side do not want nuisances at their own doors.

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A friend here said that the inhabitants of the cheris are almost the greatest drunkards in this Presidency. With drink there is rioting and bloodshed. Why should those people who create scenes not confine their activities to their own localities? Much has been said about prohibition in America. America, as one speaker pointed out this morning, is the one country where there is prohibition. This great and wide country brought in prohibition five years ago. It brought in prohibition in a certain spirit of self-sacrifice. Certain things were required for the country and one of them was prohibition. People themselves decided that they should have prohibition. But the majority only expected the prohibition to last as long as the war lasted and they fully expected that when war was over prohibition would be released. Now at the end of five years what is the result? I was in America not long ago. Although it was supposed to be dry, yet during the short time I was there I was never dry. Drink was obtainable. One had only to express the wish that drink was required and provided one had the money to pay for it, it was easily obtained. America has long sea lines. It has long land frontiers. It has got to create and keep a system of police, of excise hunters and even they cannot prevent liquor being landed. If I had the passion or eloquence of the hon. Member for the University or the hon. Member for Chingleput, I could give more details. What does the average mind of America think to-day of prohibition? The school boys and the school girls who go in the afternoon to their classes with their flasks in their pockets take them now in their handbags. It is simply due to the inexperience of youth that they want to do some thing to break the law. To-day prohibition is in force in America. No one can take a glass of whisky or keep a glass of whisky. Yet 50 per cent of the Americans are indulging in it to-day. These are facts which cannot be controverted. Now do we want that here? We have got two great sea coasts and wide land frontiers. There are so many dry places where every facility to make liquor from the trees overhead is available.' 'I agree with my hon. Friend from Chingleput that the way to tackle it is to look better after the conditions under which drink is sold.

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"One other point I wish to say, Mr. President. We hear a great deal about the poor people and the rich capitalist under whom they are working. It is said prohibition is a rich man's law because the poor man if unable to get his drink, he would be able to turn out more work, work longer hours and thereby put more money into the pockets of the capitalist. In the case of the rich man, no matter whether it is in England, India or in America, he would get drink anywhere. I hope that after my speech the House will see its way to vote against the resolution. It may be that the Excise Minister in his early days, when he was a young politician and an ardent temperance reformer, and many others in this House no doubt think as he thought then, but once they get into power, they would not say that they would see that total prohibition is made possible within five years. If they say so, I defy them to do it. As soon as one gets to know the exact conditions by experiences which the Minister has had the advantage of gaining, one would very well see the difficulties of saying that one would stamp out this traffic and like our present hon. Minister will see the impossibility of a legislation and would begin to educate the people on the evils of drinking and would not set before him the policy of total prohibition immediately."

* Mr. MUHAMMAD GHOUSE MIAN SAHIB :—"No one was more glad than I to see the ability and patriotism manifested by the hon. Members of this

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House in regard to the question of the Excise policy of the Government of Madras. But at the same time I am sorry to say that this Government, the Government of Madras, are very dilatory in coming to a conclusion as regards their policy although in each of the other sister presidencies some or other working policy has been adopted. We have long ago heard that Bombay Government have set before themselves the goal, viz., that total prohibition should be reached within a near future. They have also set before themselves the local option policy."

* The hon. Rao Bahadur Sir A. P. PATRO:—"There is no Local Option Bill in Bombay."

* Mr. MUHAMMAD GHOSSE MIAN SAHIB:—"I think the Local Option Bill has been worked in the Punjab Government, the surcharge system in Bengal and the licensing board system has been worked in the United Provinces and the Bombay Government too, having once set before themselves the local option system, are now trying the rationing system. But, for one thing or other, our Government have been putting it off. First they deputed two people to go and study the problems involved in the question and even though they had studied the question thoroughly and made a report, still they have not made up their mind as to which system should be adopted. I do not know what makes them wait like this. It is true that a system may not be perfect at all and human ingenuity is such that as soon as a system is suggested it tries and finds some way or other to avoid it and therefore under such circumstances no system can be perfect. But in spite of the imperfections of a system the best thing would be to launch upon a course of action and then upon the experiences gained to remedy the practical difficulties. It would be wrong simply to say that the people should be educated before any policy could be taken up.

"The point now is whether we should adopt the report of the Committee or we should not adopt the report. If we carry any modifications, those modifications should be given effect to. Much of our discussion is now centred round the question whether we should adopt the report with any modifications or whether we should not adopt the report at all. I believe we have been setting our minds for some time past to discuss certain general topics and for the present I may confine myself to a discussion of the report and say what are the points of advantage in it that exist in the other systems and that are being followed in other provinces and how these conditions could be incorporated in this report.

"As regards that point, I am at one with two of the amendments that have been given notice of, one by Mr. Ramalingam Chettiyar and the other by Mr. Krishna Rao. I consider that the latter one contains more points and views the whole aspect widely and suggests that particular care should be taken to avoid the disadvantages in the other systems. I am therefore at one with the suggestion that the Council should adopt the amendments by Mr. Krishna Rao and incorporate in the rules to be framed amendments in such a fashion that many of the provisions mentioned by him would be embodied in the report and that report with all those amendments given effect to. There is no doubt that all the Governments in the whole of India are unanimous in coming to the conclusion that prohibition should be adopted as the goal and (*the hon. Sir A. P. Patro: Question*) our Government alone have not still given effect to that policy. In Bombay, Sir, we have the rationing policy which in effect is an implication for fixing a period of time

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for the end in view. In the Punjab, local option has been adopted and that means that within a certain period total prohibition should be reached. In Bengal again the surcharge system is now working though there is not any fixed period at all. Even as far as this Presidency is concerned, all or most of those who gave evidence are unanimous in coming to the conclusion that this Government should fix a period for total prohibition. I admit there might be differences of opinion as regards the period to be fixed within which this Government should reach its goal of total prohibition. I am personally of opinion that no period should be fixed at all in view of the fact that, if a period is fixed, the tendency would be to drag on until that time and if possible to ask for more time. Even though a period of 20 years has been fixed yesterday, still I feel that it would be possible to do it earlier. So far as this Government is concerned, opinion in the House is unanimous that the Government should declare that total prohibition must be its goal. As regards the systems working in Bombay, there are one or two disadvantages, viz., that illicit distillation is going on in the Presidency as a result of the rationing system. There is also a large amount of increase in the importation of foreign liquor. These and other disadvantages have been clearly pointed out by the deputation that was sent by us and I am of opinion that proper care should be taken to incorporate necessary amendments and necessary changes in the rules and for that reason we can adopt the resolution of Mr. Krishna Rao and we may, if necessary, institute a special staff to look after those matters and at the same time introduce a rationing system. The licensing system is working with some advantage and it would be better to give effect to the recommendations of our Committee with the modification that the Board should be given powers to ration. There was some difficulty when this matter was discussed at a special meeting of the Committee and I then put forward one such suggestion in connexion with introducing rationing system. As regards the other matter, much has been said by the other speakers and I do not want to further trouble the House.

“I would just deal with one more point. That is, the question about finance. Whenever this question of excise came to be discussed, it was always contended that it should be tacked on with taxation. In my humble opinion this question of excise should not at all be tacked on with taxation, because excise question is to be looked upon more as a question of public health and it ranks equally, if not more, with any of the departments of industries or any of the departments of education on which we are lavishly spending money to educate the public. This question of excise should be treated on a par with them and must not be tacked on to taxation. As to the ways and means, how best to improve the loss that would be consequent upon the adoption of this problem has been disturbing every one; but on that score we should not be neglectful to the health of the public.”

* Rao Sahib R. SRINIVASAN :—“Accusations have been raked up and heaped on drinkers. It is only fair that you should hear the statement of the accused before any decision has been arrived at. They have no time for argument. Their statement is as follows :

“The prohibitionists are like children playing with fire and it is a piece of impertinence on the part of any State to unwarrantably interfere with individual rights and privileges. They pooh-pooh the policy of Sir Basil Blackett that there should be maximum revenue and control and minimum

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consumption and strength of liquor. They are men and have brains like others. They can devise means and methods to get their drinks to their satisfaction.

“When I asked how they would solve the problem, they say: To solve the problem, liquor and toddy should be pure and sold at as low a price as possible to keep away illicit distillation and bootleggers. The army of controlling staff can be done away with. Drunkards who neglect their wives and children and are a disgrace to any community may be severely punished and kept out. There must be and there will be intoxicants in one form or another in India. The control should only be in the hands of Government and not in the hands of tradesmen or other body of men, because there is money in it. When asked if they have any grievances, they say 40 or 50 years ago the price for one dram of liquor of 26° under-proof was only 2 annas and a bottle of toddy 1½ annas. Their drink was good and they enjoyed health and happiness. They resorted to this only after making provision for hearty meals. The liquors and toddy now sold in the shops are adulterated and drugged to a state of poison. Further the shops have been removed to localities undesirable and unhealthy, out of easy reach and in the midst of localities of bad characters, graveyards and contagious diseases hospitals, swampy fields and out of toll-gates. The cost of drink is so high that it takes away all their earnings. They must have their drinks at any cost without which they will not be fit for the work the next day. They also complain that the hours of sale have been very inconveniently fixed so as to make the sale illicit, in addition, making them cowards. The arrack drinkers could not take to toddy and *vice versa*. Some kind of intoxicant is known to exist in India from a very ancient time. To drink for the sake of health is nowhere considered as a crime at any time. Now the drinkers are penalized and treated as worse than criminals and lepers. For the fault of a few drunkards, it is not at all justifiable to punish even sober and well-conducted men.

“Then turning to the prohibitionists, the drinkers ask why not betel leaves, tobacco, coffee, tea and sugar and such other luxuries be penalized? Why not particular places and hours of sale be fixed for the sale of these things? Why not a particular place and hours be fixed for chewers of betel leaf and tobacco and smokers? Why should certain people wear such heavy clumsy woven *khaddar* cloth which is expensive and disliked by others? How would they like when their rights and privileges are interlarded with? The wives of the drinkers say that it was not the drink that brings misery to their homes. It was high price fixed on the drink that took away most of the earnings of their husbands. Yet they are not healthy and happy. Their men must have their drinks without which they will not eat, go to sleep nor fit for work next morning. Why should they pay so dearly for the fault of some drunken brawls?

“I think, Sir, the Government have overstepped their limit much earlier. The rapid increase in illicit distillation cases shows that the drinkers were put into the necessity of seeking their drinks in an unlawful manner. Within the last few years, cases of illicit distillation in Madras rose to 688 and in Bombay the number is greater, being 1,383. If this is not checked in time, illicit distillation will spread immensely and in times of disturbance liquor control would be impossible.

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“ Sir, after listening to the arguments of the other side, I am convinced that they want to do some good, but they do not see what is behind their back. I tell you that the bootleggers and illicit distillers want the control to be taken out of the hands of the Government. That is the whole secret. Of course this House may not know it. I would earnestly point this out to them. There may be some men at the back who are working for their own benefit.

“ As far as the Committee's report is concerned, I may say that I myself, as a member of the committee, very severely examined some of the witnesses and the only conclusion possible to arrive at was the one come to by the Committee.

“ With these words I support the resolution.”

* The hon. Mr. T. E. MOIR :—“ I have been listening to this prolonged and interesting discussion with some measure of trepidation and anxiety natural to one who happens to be Finance Member following a debate in which a very large proportion of our revenues has come under review and as a result of which those revenues may be brought into serious jeopardy. I have listened in the hope of finding some guidance as to how the very great financial problem is to be met, but if I may say so, I cannot help admitting that I was not satisfied with the result. The last reference to this very important question from my hon. Friend Mr. Ghose Mian Sahib was that no such consideration did arise and that we might close our eyes entirely to that aspect of the problem. To that position I am afraid I am not able to agree. I might perhaps be content to deal simply with the financial problem as it presents itself to me, but perhaps that would be hardly honest to this House who might say that this financial problem arises out of another problem, that the views of any one who has to deal with the financial problem must necessarily be coloured by the attitude he adopts towards the main problem and that they are entitled to know from what angle he views that main problem.

“ Sir, in addressing myself to this aspect of the question, I feel that there has been in many of the speeches to which I have listened a failure to appreciate the difference in the terms round which the debate has centred. We have had reference to total prohibition: we have had reference to total abstinence: and we have had reference to temperance. Now, it is not the case that total prohibition, total abstinence and temperance are in any way connected. Total abstinence and temperance are poles apart from total prohibition. Total abstinence or temperance represents the act of a man's free will and choice and total prohibition is a thing enforced upon his will ultimately by the physical force of others. I was glad to hear some Members of the House take their stand on individual will and choice, on the moral element which is involved in this question as opposed to any question of physical coercion exercised by the State, and I observed that some of those who advocated a policy of total prohibition attempted to base it on considerations other than the mere capacity of the State to enforce its will upon individual citizens. Dr. Natesa Mudaliyar dwelt on the medical argument and on the bad effects of intoxicants on the liver. Now, like my hon. Friend Mr. Saldanha, I must confess that I am one of those who occasionally indulge in a glass of wine on festive occasions or at a social meal, but the arguments of Dr. Natesa Mudaliyar left me unmoved

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because I know that for every argument that he can adduce from medical men, however eminent they may be, I could find a contrary argument from sources of the same kind, equally authoritative and equally distinguished. Therefore, as far as the doctors are concerned in this matter, it seems to me that we have a right to call upon them to speak with one voice before they claim to be the arbitrators on this issue. Sir, it is not a question of what the doctors say or any one else says that underlies this issue. We have here one of those fundamental issues which can be traced throughout the history of any organized community. It raises a great problem of the limits within which the State as such is entitled to exercise its powers of coercion and that is one of those problems in respect of which in no country in the world has any agreement been arrived at. It has been determined, in accordance with the political influence that the advocates of one theory or another have for the time being wielded over the community of which they form part. In one suggestive speech to which I listened this morning, Mr. Khalifulla Sahib drew attention to the fact that there are matters which rest between a man and his own conscience, or between man and his Maker, and he denied the right of the State to interfere in a matter of this kind. There were others who spoke in a similar sense and between those who hold that view and those who want to bring the pressure of the State to bear upon those who take alcohol, it seems to me that there can never be any agreement. There is a fundamental difference in temperament and outlook. Others appealed to the example of America in order to strengthen and support their attitude, that the State was justified in this matter in using its coercive powers. I am not anxious to bring unnecessarily into our controversy matters concerning a great and friendly nation, but I think I may say this that those who have a regard for democracy as the finest instrument for Government that has yet been devised and who still have some belief in the spirit of personal liberty feel that things have happened in the United States which give them reason to apprehend that the original beliefs and the fundamental conceptions on which the constitution of the United States was founded are in the country of its birth now in danger of being obscured. We, for example, do not regard as a natural corollary of these fundamental concepts the denial to man of the right to form his own opinion as to how or why the universe was framed.

"Then again, others attempted to justify their attitude towards total prohibition by referring to the position of what we call the lower classes or the depressed classes. I have had the privilege of listening to one or two speakers who are entitled to speak on this matter on behalf of these classes of people. For some time, I was very directly and personally concerned with this question of the depressed classes to which I gave much earnest attention and the conclusion I came to was that what they were suffering from was an unceasing and age-long series of prohibitions; they were not allowed to intermarry there, to dine here, to walk in such and such streets, to draw water from such and such wells, to sit with their own fellow villagers in schools. Their whole lives are bound by prohibitions and I am told that the first rare and refreshing fruit of the reforms that is going to be offered to them is a further prohibition to be imposed upon them with all the might and strength that the State has behind it and that the instruments offered for their regeneration are to be the constable, the peon, the petty officers, the spy and the informer. References have been made to my

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own country of Scotland in the course of this debate. I am well aware that, not so many years ago, the drink problem in that country was one which had attained formidable dimensions, but great improvement has been achieved and sobriety and temperance have largely increased. To what has it been due? Has it been due to the prohibition imposed by the State? No. It has been due to education, to wider opportunities . . ."

Mr. S. SATYAMURTI :—"To local option."

The hon. Mr. T. E. MOIR :—"Local option had done nothing in my country."

Mr. C. V. VENKATARAMANA AYYANGAR :—"It is still there."

The hon. Mr. T. E. MOIR :—"It has further been due to the increased power and determination of the people to keep up a higher standard of living. It is by these measures, which are more of a moral nature than coercive, that a measure of temperance reform has been brought about in my country."

"Perhaps I may now turn to the important aspect of the question with which I am personally and more directly concerned. Now what is the position? Assuming that the policy which is to be followed by the Government in future is to be one, not of temperance, not of total abstinence, but of preventive total prohibition as the accepted creed of this Council to be enforced irrespective of whether the people of the country accept it of their own free will or whether it conforms to their moral standard of living or not, what would be the result? Obviously the loss of revenues which are at the disposal of the State cannot be confined to that sum which is at present derived from excise approaching nearly five crores. To that you must add the inevitable increase in your preventive establishment which must necessarily be entailed if a policy such as that proposed should be enforced against the will and desire of large masses of the population. I do not feel called upon to make an estimate, but if your policy is to be effective, I am prepared to say that your charges will go to at least a crore. It may be that some members of this House merely desire to get rid of this revenue as what is termed 'tainted money' and are mainly concerned with disassociating the State from any financial interest, in what they regard as an evil, and such Members may disclaim any demand that preventive establishments should be increased; but to those who are concerned with what they term the evil effects of our excise policy I would point out that, if the preventive staff is not increased, we cannot remedy the evil. If we want that prohibition should be made effective, it cannot be done merely by the closing of all licit supplies but by the prevention of access to illicit supplies. If that is the policy to be followed, I think, I am not far wrong when I say that the total bill will be not short of six crores."

"Let me draw the attention of the House to a few figures which further illustrate what I mean. Our total revenues for 1924-25 were 16½ crores, of which about 5 crores represent excise revenue. The balance is only 11½ crores, and we have to meet our obligations to the Government of India from out of this sum. Two and a quarter crores represent our contribution to the Government of India and a very considerable sum represents other statutory payments which this House is unable to refuse. The 11½ crores represent the revenue actually at the disposal of this House, and I am told that it will not be difficult out of this sum either to sacrifice the 5 crores of

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revenue or to meet an extra expenditure of one crore. Does any member of this House really believe that? It is perfectly true that of the present obligatory payments, $2\frac{1}{4}$ crores are ear-marked as a subsidy to the Government of India which may eventually be released. But the balance really available must depend on the extent to which we might find it necessary in connexion with the budget of the present year to anticipate our claims upon that 'reserve' as some hon. Members have called it in connexion with the next year's budget—a point on which we are not at present in a position to give the House information. Apart from that, I am sorry to say that we have very little power or control either as to the amounts or as to the periods in which that contribution may be released.

"I have carefully listened to the debate in this House but can say emphatically that I am unable to accept the easy argument that we can close this gate and find out other avenues from which we can derive this revenue. I have been told that it can easily be done by means of retrenchment. Now, so far as that is concerned, some years ago an influential and capable retrenchment committee sat for a very long period—I think I am right in saying that it sat for over two years—and examined the whole question with a view to effecting all possible retrenchments, and did so. The hon. Mr. Ramalinga Chettiyar suggests that their work was spoilt by compromises. Compromises are perhaps inevitable in our work but we cannot get away from the fact that the Retrenchment Committee did secure comprehensive retrenchments and, so far from regarding the Retrenchment Committee as having unnecessarily yielded to the clamour of those who did not want retrenchments to be made in their respective departments, my own impression is that they secured exceedingly good results. Do hon. Members really think that any substantial sum is going to be secured by reopening the retrenchment issue and going over the same ground with a view to seeing whether a few grains are left to be garnered in this or in that corner of the field? Do they think that if retrenchments were again examined, the savings would come to five crores or even to half a crore? Another hon. Member complained that our establishment charges have gone up by as much as one and a half crores, but on what object? Are you going to dispense with all the new teachers in the Education department? Are you going to abolish or reduce the Agricultural department, the Registration department, the Co-operative Society department? I am merely putting these questions"

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Mr. S. MUTHAYYA MUDALIYAR :—" We shall give suggestions."

The hon. Mr. T. E. MOIR :—" I have no answer."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I did not want to interrupt the hon. Member ; I have got suggestions to make . . . (The hon. Mr. Moir was still on his feet.)"

The hon. the PRESIDENT :—" Unless the hon. Member yields, he cannot be interrupted."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Evidently, Sir, he does not want an answer."

The hon. Mr. T. E. MOIR :—" I am told that we can get back our contributions to the Government of India ; but even if we get our contribution back to the last rupee, that will not find as much as two crores of the

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sum required. Further, are we sure that the Government of India are prepared to tax the rest of India in order to enable us to carry out this policy of total prohibition? I can make no definite announcement on this point since I have no information; but it is as well to remember that a reduction in our contribution to the Government of India can only come out of surplus funds of the Government of India to which all the rest of India must contribute. I could have wished that so much stress had not been laid in this connexion upon our contribution to the Government of India, but I want to call the attention of the House to a simple and obvious fact.

"The third proposal is that of additional taxation. The hon. Member for the University appealed to the hon. Minister to stand up to the Finance Member and insist on additional taxation."

Mr. S. SATYAMURTI:—"I suggested retrenchment and, if necessary, substituted taxation; because I consider the excise revenue to be indirect taxation."

* The hon. Mr. T. E. MOIR:—"I do not think that explanation arises out of anything that I have said. The hon. Member admits that taxation is necessary and called upon my hon. Colleague to stand up to me. I do not think that courage is a characteristic which my hon. Colleague lacks; I have seen him stand up on not unequal terms to the hon. Member for the University himself, and the hon. Member for the University charged my hon. Colleague with having brow-beaten this Advisory Committee into accepting his own views. But, if taxation is necessary, what kind of taxation? It seems to me that at that point the hon. Member for the University himself ran away from the problem. I did not hear from his lips one single concrete suggestion as to how this deficit was to be made good, not even one single proposal as to the nature of the taxation that I was to be called upon by my hon. Colleague to impose. Who is to pay? Is it to be reimposed in the shape of increased salt tax which would affect the poorest classes? Is it to be imposed on the struggling industries of the Presidency to which, we have been told, Government are rendering far too little assistance? If not, there is, as far as I can see, only one other source from which it can be drawn, and that is our main and most important industry, viz., Agriculture?"

* Mr. S. MUTTAYYA MUDALIYAR:—"Provincial income-tax."

* The hon. Mr. T. E. MOIR:—"Provincial income-tax also, I think, would be a burden on what I called the struggling industries of the Presidency."

* Mr. S. MUTTAYYA MUDALIYAR:—"Impose taxation on thriving industries."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Why not a tax on the export of cotton?"

* The hon. Mr. T. E. MOIR:—"Does the House not agree that it is as well that I should call their attention to the fact that this financial issue is not one which can be easily put aside? If you adopt a certain policy, this financial issue must necessarily arise; and therefore, before you adopt a policy of this kind, you will be well advised to consider how you are going to meet the problem to which it must give rise. One hon. Member said that it does not matter what the total cost is; we must carry out this policy. I am afraid that if the Government or this House should disregard those higher

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and moral issues to which I have referred it will not be a mere question of loss of revenue or a question of money. You may unwittingly provoke a challenge to the authority of this Council and all representative institutions which after all, are still of tender growth in this country. You may unwittingly cause that degradation in the character of the people of a country when they are encouraged to defy a law which they regard as oppressive. Quite apart from that, you will have to face a very serious set back to those ameliorative and educative influences to which, I think, you should trust for the regeneration of the depressed classes much more than to any policy of coercion. May I add however that I have a belief, a profound faith in the commonsense of the people of this Presidency? I am perfectly certain that if they find that these results are going to follow from the adoption or the prescription of any policy by this House, their own commonsense will save them and that they will not allow such a policy to be carried to its end simply out of regard for logical consistency."

* The hon. Rao Bahadur Sir A. P. PATIL:—" Sir, it is very gratifying to me to find that hon. Members who have taken part in the discussion of the report have viewed the problem in all its various aspects. I should say that the hon. Member for the University, apart from his resolution, stated in his speech that while he looked at this question of prohibition from the point of view of temperance, he was quite prepared to advise this House and the country to bear the responsibility for the financial liability. Other members of the House realized also the reality of the problem, that if at this stage we are to change the methods and if there is to be any deficit in the revenue that must be made good by the country. That position greatly helps me in considering the various views, divergent as they are. I do not, therefore, propose to make any lengthy remarks on the discussion; nor would I refer to the individual observations made by the hon. Members. The resolutions that were placed before the House indicate the different opinions and the recommendations are by no means unanimous. It is difficult, therefore, for me to follow the lead given in these resolutions. Government have placed certain facts and circumstances in the report of the Advisory Committee. After the lead given by the discussions in this House, Government will have to pass orders after considering them very carefully

" In page 2 of the Advisory Committee's report the case is stated. We find there the resolution of this House, that the Standing Committee of the House attached to the Excise department be required to investigate and suggest means of improving the excise administration in the Presidency. Therefore, any criticism in regard to the constitution of the committee would ignore altogether this resolution of the House. Any criticism about the inclusion or exclusion of certain members in the committee would be therefore quite irrelevant. According to the resolution of the House, the subject was placed before the Advisory Committee of the Excise department for consideration. In addition to what the Committee itself recommended, I have had the privilege and pleasure of consulting other hon. Members of this House. This consultative committee sat for two days to consider the whole matter. The result of their recommendations are to be found in pages 49 to 52 of the report.

" At the bottom of page 49 the House will see that the committee recommended that ' the goal of all excise policy will be total prohibition and they will work up to it as early as possible.' That is the suggested wording.

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When the question came up as to how far the gap in the revenues can be filled up, where to find the money required for the extra staff and how to replace the revenue, two conditions were laid down, viz., that funds would be forthcoming for the extra staff and to replace revenue. Resolutions have been tabled by hon. Members of the House to the effect that the ways and means should be exploited by a committee, if the goal is to be adopted.

“When considering the first resolution tabled by the hon. Member for the University we find that there is one great defect. It simply states that immediate steps should be taken. It does not suggest what steps should be taken in the matter. It is not a case of the Opposition tabling a resolution. But it is a matter which directly concerns the definite facts stated in the report that have been placed before the House. Therefore, any resolution recommending a particular policy must refer to the means by which that principle is to be realized and the goal to be achieved. The first resolution does not indicate the means to be adopted by the Government to attain the goal which is referred to. My hon. Colleague, the hon. Finance Member, has already pointed out this defect.

“With regard to the question of prohibition, I would beg the House to consider the resolutions that have been adopted in other provinces. In Bihar and Orissa, this question came up before the Legislative Council and it rejected the resolution by a large majority. In the United Provinces also, this question was considered and by a large majority the United Provinces Council rejected it. When the matter came up in Bombay, hon. Members will remember the speech made by the hon. Member of the Government of India for Finance warning the Provincial Governments that any measures that would be taken by them will not be looked upon disinterestedly. The Government of India would be watching how the Provincial Governments adopt their policy. They will not sit with folded hands and allow the Provincial Governments to deal with this problem as they like. Though the Bombay Government advanced first, it was obliged to veto the Bill for Local Option. The House will, therefore, see that we are not independent in the matter. Excise is a transferred subject; but it is not wholly transferred. Excise revenue forms the major portion of the revenue of the Government of India. The Government as a whole is concerned. The Excise Minister cannot act independently in the circumstances in which we are situated. The Government as a whole must accept the policy. The Central Government is also concerned with the Excise revenue. I am not making here random statements. I would ask hon. Members earnestly to read the speech that was made by the hon. the Finance Member when this problem was discussed in the Assembly. It will be clearly seen that any policy that will be adopted and that will affect the revenue will be considered by the Central Government with great care. When such a warning is given, we must know how to arrange our own matters.

“Then with regard to the question of prohibition, suggestions have been made that we have to fix a time-limit within which the goal is to be reached. With regard to that, I am glad to find that the hon. Member for the University has said that it will not be practicable. The hon. Member, Mr. Ghose Mian Sahib also, has stated that there should be no time-limit. The Bombay Committee also expressed the same view. That Committee stated that the policy should aim at prohibition by suitable steps. It did not

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approve the idea of laying down, as suggested by most of the witnesses, a definite period of time. It recommended that the goal should be reached by suitable steps. The policy recommended by the Bombay Committee is a practical one. Therefore, we cannot fix any time-limit.

"When considering the question of prohibition, I would ask the House to refer to a recent correspondence that passed between one of our earnest and sincere advocates of temperance reform, Mr. Rajagopalachariyar of Salem, and our hon. Colleague, the Member representing the University. That correspondence must be fresh in the minds of the hon. Members, and I will not tire the House by reading the whole of it. The real spirit of our friend is seen from that correspondence. He did not give expression to those views as a Member of this House with a particular view and with a particular purpose, or on the platform where he has to adjust himself to the tune and tone of the audience. He is there as a real person and expresses himself against one of our earnest and ardent workers in the political field. The real Satyamurti is there and you can see from the correspondence the views expressed by him. I will take the permission of the House to read a few extracts. My hon. Friend would not charge me with the same charge levelled by Mr. Rajagopalachariyar that I took a sentence here and a sentence there and mutilated his remarks to suit my own purpose. I would read the remarks of my hon. Friend in its entirety. It is found in the January issue 1926 of the *Leaguer's day*. Mr. Rajagopalachariyar quoted a few sentences of the speech of the hon. Member and said that, if this was to be the view of the Swarajists, then, woe for such a thing. It would be uncharacteristic of the hon. Member for the University if he would not take up the challenge and reply him as vigorously as Mr. Rajagopalachariyar replied him. One of the hon. Member's sentence was :

'I would rather be a member of free nations of drunkards than be a slave of a nation of teetotallers. Let us get swaraj first and then we shall have prohibition.'

"Then again, the hon. Member stated that the caricature which Mr. Rajagopalachariyar had presented of his speech was so unlike the original that he was compelled to relate his proposal in a categorical form before he would answer his criticisms. He said :

'I believe in prohibition ; I have asked for it inside and outside the Council ; I will continue to ask for it.'

"Absolutely every one will agree that we should have to work for restriction of consumption and that we should minimize the opportunities for drink. The second condition he gives is that it is absolutely impossible to enforce prohibition in this country, till we have swaraj. He also supports his statements by very strong reasons. His reasons are those that have been referred to by Sir Alexander MacDougall whose presence here we all welcome with pleasure. He referred to the question of preventing disputes along the coast line in regard to the import and transit of liquor. He also referred to the control of foreign liquor by the Central Government. He again referred to the financial question and the threat which the Finance Member of the Assembly has held out. These are the arguments, substantial and strong, which the hon. Member for the University advocated in support of the position which he took up in that correspondence. He said :

'I mention the above as some of the most important difficulties in the way of enforcing prohibition till we get swaraj.'

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"Reference has also been made in this House to the fact that speeches are made and resolutions are passed with a view to please the electorate and to tickle their imagination that a particular political party is going to achieve this or another party is going to achieve that. My hon. Friend, Mr. Satyamurti, gives the lie direct, and he says Mr. C. R. (Rajagopalachari) is requested to be a subtle man. May I ask him one question? What is the form in which he is going to present this issue to the electorate? Will he tell the electors, as candidates may and will in free and self-governing countries, that if he and his party are returned to power, they will put down drink in the provinces? If that is so, it will be misleading the electorate because he knows or ought to know that the Council has no power to deal with the question of prohibition at all. You cannot go honestly and with any self-respect and preach to the electorate that prohibition is an issue and therefore you better vote for those who cry aloud for prohibition. Mr. Satyamurti has challenged Mr. Rajagopalachari. He says: 'You will not be doing the right thing nor will you be properly representing what we can do in the House.' In these circumstances, hon. Members would be able to decide whether the resolution which he has tabled can be accepted or not.

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p.m.

"Then, the hon. Member for the University characterized the report of the Excise Advisory Committee as a do-nothing report, that it took up the issue of prohibition only to say that prohibition was an impossible ideal. I may tell the House that this view is by no means a new one peculiar to this Committee. For, it is supported by two other reports. The Bombay Excise Committee has definitely stated that no definite period can be fixed in the matter of prohibition. The criticism therefore that the Committee wanted to brush aside the issue of prohibition is not at all correct. Next, the view of the Committee in regard to local option has also been criticised. Here again, I would draw the attention of the House to the opinion expressed by the Bombay Excise Advisory Committee. They say:

'Local option in wards of towns or municipalities and villages cannot be strictly enforced so long as these units are bordered by those on which liquor shops exist. The Committee have no definite opinion to express and would leave the matter to be decided under the proposals made in chapter XV,

i.e., relating to finances, which I shall read to the House.'

'A part of the deficit which will take place in revenue by the abolition of excise will have to be met by local taxation.'

"If the local bodies or any local area is willing to put this then it will be a practical problem to consider how far local option would be permissible in such an area. Reference has been made to-day on the floor of this House by hon. Members who are in close touch with the work of local option in Scotland, to how it has been found in practice there. Sir Alexander McDougall, who returned from Scotland recently, and the hon. Mr. Moir have stated very emphatically in reply to a question put by the hon. Member for the University that local option had done no good to the country. The Bombay Committee has thus rightly held that it would not be a feasible or a practical measure.

"Hon. Members have then referred to the question of rationing, and suggested it as a means of achieving the result. I would be very rash at present to express any opinion on the working of the system in Bombay. I will not criticise it, but I know how it is working; and I may mention that the Bombay Government are now feeling for it. They have seen that

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foreign liquor has been greatly coming into Bombay. And the hon. Member Mr. Muhammad Ghouse Mian has pointed out how illicit distillation has been going on, so much so, that the Bombay Government have been losing heavily in the matter of revenue. Not only that. They have multiplied the controlling agency in order to prevent this evil. Hon. Members will therefore realize the great additional loss that the Bombay Government are incurring. It is no wonder, therefore, that the Bombay Government have very cautiously made their recommendations and said that the Excise Department has hitherto expressed its helplessness and inability to fight against illicit distillation that arose on account of the strict measures to bring about the extinction of liquor shops. They say :

‘As these practices can exist in the rural areas, we propose for the present to push rationing system in urban areas only in the absence of sufficient experience of the working of the system and, in view of the advice given to us by the Excise authorities, we feel diffident to recommend further.’

“The Bombay Government have also adopted a very cautious policy in the matter and said that it would not make any further extension of the system of rationing in Bombay. They stopped where they began, and would not extend any further until they know where they are in regard to its working. Hon. Members will thus realize that to suggest that rationing should be adopted as a means to achieve the goal is not at all sound ; and the experience of Bombay must serve as a warning to us.

“It has then been suggested before this House that this Government have been dilatory, that while other provinces have been forging ahead, we have been sitting with folded hands. I would only ask hon. Members to look into the progress that has been made in this Presidency and the means that have been adopted from 1916 to 1921 and from 1921 up to date. If only hon. Members do that, they will at once realize that we have had a progressive policy and that all the suggestions or means adopted in other provinces have been already adopted in this province. The fact is, while this province has been following a progressive policy, other provinces have been following what we have been doing for a very long term of years. Hence, if there was no action taken here in reference to items of work that might have been taken up in other provinces, it is because we have had those already in working order in this province. I should like to refer to the system of surcharge which has been referred to as one of the great achievements of Bengal. If only a reference has been made to the report of Mr. Strathie and Mr. Chettiyar, it will be found what the experience of Bengal has been. Keen and careful observers they have been and their observations clearly show that the system is not suitable. It is not an improvement over the auction system. Because the auction system broke down on account of the malpractices, on account of the abuses that prevailed in Bengal and in the United Provinces they were obliged to adopt the surcharge system. The Bombay Committee have in unmistakable terms stated that, in spite of its defects, the auction system is the better one. Hon. Members will now realize that the auction system which is now prevalent in this Presidency is the better one and that because it broke down in other provinces they had to find substitutes. At page 25 of the report of the Madras Committee, they say :

‘Our opinion is that the surcharge system need not be introduced in Madras until signs are clear that the auction system is breaking up. There appears to be no doubt that its introduction in Bengal and the United Provinces was due to the breakdown of the auction system there. In Bengal, the monopolistic combinations among renters appear in some places to have obtained enormous power, while in others auctions had got out of control and led to constant

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reckless bidding and the consequent ruination of many renters and great loss to Government. In the United Provinces, the surcharge system seems to have been the direct aftermath of the non-co-operation movement which had, in that province, attained great strength and put auctions out of the question.

"Therefore, it will be seen that the surcharge system has been adopted in other provinces not because it was the best system or the best means of controlling the consumption of liquor, but because the system has broken down there and they had to find a suitable substitute."

* Mr. V. C. VELLINGIRI GOUNDER :—"What does 'broken down' mean?"

The hon. Rao Bahadur Sir A. P. PATRO :—"The auction system is automatically in this view a system of control and you adopt a vigilant agency as it were for the purpose of guarding against illicit distillation. The shop-keeper himself will be an assistant of the department under the auction system and see that in the neighbourhood there is no illicit manufacture, as it is to his interest to see that it is so. Again, the auction system by doing away with the middleman brings the profit direct to the coffers of the State. There are other advantages of the system which I need not dilate upon, but suffice it to say that the surcharge system is not the best system and that it has been adopted in other provinces where the auction system has failed.

"Then, Sir, it has been suggested that a fixed fee system should be adopted as a means of achieving the goal. I may again refer to the report of the Bombay Excise Committee which says that that too is not the best system and that the system adopted in Madras can be followed. At page 100 they say that an automatic reduction by a definite fixed percentage is a very reasonable one to be adopted under the auction system. In regard to the reduction of shops, reference has been made to reduction by a certain percentage in the resolution of my hon. Friends from Coimbatore and from Nellore. It has been suggested that the reduction should be by 50 per cent so that all the shops could be abolished in the course of ten years, when there will be total prohibition. That problem was very carefully considered by the Bombay Committee and that Committee has recommended that any automatic reduction by any definite fixed percentage for all areas is not at all desirable. Action should be taken after consulting excise authorities and advisory committees. You must remember that the Bombay Excise Committee was endeavouring very earnestly to adopt a progressive policy. Their efforts, therefore, have been directed to collect materials which would help such a policy and they say that any automatic reduction, as is proposed in some of the resolutions, of a number of shops, so that in the course of a fixed period, all the shops may be abolished, is unworkable and impracticable. Therefore in lieu of that, I submit to the House that the proposal for such an automatic elimination of the shops is not at all a practical one. In the report of the Madras Excise Advisory Committee it will be found that the hon. Member from Coimbatore raised the question at the consultative committee whether reduction of shops by itself will be able to achieve any reduction of consumption, and it was concluded in the negative. High taxation has also been tried and rejected. Personally I may say however that I differ from the view with regard to high taxation, because I believe that it will lead to the reduction of consumption as I will show from figures relating to consumption raising of the distilled duty and the retail price of liquor. In regard to the various recommendations I have made a few general observations in order to show that the recommendations contained in the resolutions are not such as to bring us nearer the goal which every one interested in

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the welfare of the country wants to achieve. The difficulty is how best to achieve it. My hon. Colleague the Finance Member has placed before you the financial aspect of the problem which is by no means an easy one. I do not put it as a matter of policy or for the purpose of administration, but as a fact to be faced by us. The Bombay Excise Committee dealing with the financial problem presented by the question, while recommending that a certain amount of rationing should be adopted in the Bombay Presidency, while recommending that wherever local option was desired, it should be adopted, made it a condition that the area which desired local option must be prepared to pay for it. The amount of revenue that is lost in that area must be recouped, not by that area only but by general taxation. And in paragraph 212, in summing up their conclusions, the Bombay Excise Committee say:

'As stated above, we are of opinion that the financial side of the problem that will have to be faced with the introduction of local option or eventual establishment of total prohibition must be borne in mind from the beginning and before any steps are taken to introduce any changes into the present excise system the necessary legislation should be passed, which may enable Government to impose the taxation requisite to avoid financial difficulties. We suggest that any necessary legislation be introduced at once, possibly as an integral part of the local option, legislation which will be required and such legislation to provide for taxation up to three crores having been passed, the various forms of taxation should be introduced as and when they are found necessary.'

"I would only refer to one more observation of this committee In 5 p.m. paragraph 22:

'We therefore have started with the assumption that it is our duty to make proposals which will show how, on the completion of the prohibition movement when the whole Presidency goes dry, additional taxation by that time may produce 3 crores of revenue. The suggestions we make are not for immediate introduction in their entirety. We submit that if they are agreed to have the necessary legislation to impose upon them passed immediately, then they may be imposed by degrees to make up for the gradual shrinking of the excise revenue that might be reasonably expected.'

"Therefore, hon. Members will see that, while prohibition might be laid down by this House as a goal, at the same time it has been suggested by the Committee which sits in order to enquire into the ways and means by which the loss of revenue can be recouped and the gap in the revenue filled up. Therefore, if any lead is to be given in the form of the resolution, I submit to the House that those matters will be very seriously and very carefully considered before final orders are passed on the Excise Committee's Report. The report is placed before this House for the purpose of eliciting the opinion of the House and to see in what form the Government Order should be finally passed."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I think the hon. Minister said that he was going to refer to some other things which may be workable, such as the reduction of shops, etc. But he has been only dealing with non-workable things."

* The hon. the PRESIDENT:—"I suppose the various movers would want to exercise their right of reply (Voices: 'Yes'.) If so, the discussion will be prolonged, and it is better that we continue the discussion to-morrow

"Before I adjourn the House to-day, I should like to settle the question as to whether Thursday is to be treated as a holiday. Is it the general wish of the House that Thursday should be treated as a holiday?"

The House signified its wish in the affirmative.

The House then adjourned to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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APPENDIX I.

[Vide answer to question No. 1291 asked by Mr. B. Venkataratnam at the meeting of the Legislative Council held on the 9th February 1926, page 189 supra.]

Statement showing the quantity of opium sold for consumption during the years 1910—1924 in each of the taluks of East Godavari.

Taluka. (1)	1910.		1911.		1912.		1913.		1914.		1915.		1916.		1917.	
	Seers. (2)	Tolas. (3)	Seers. (4)	Tolas. (5)	Seers. (6)	Tolas. (7)	Seers. (8)	Tolas. (9)	Seers. (10)	Tolas. (11)	Seers. (12)	Tolas. (13)	Seers. (14)	Tolas. (15)	Seers. (16)	Tolas. (17)
1. Ramachandrapuram ..	1,980	..	1,790	..	2,040	..	1,860	..	2,040	..	1,860	..	2,115	..	1,815	..
2. Razole ..	1,224	..	1,265	..	1,153	40	1,190	40	980	..	1,126	40	819	..	1,062	..
3. Amalapuram ..	..	..	2,148	..	1,937	40	1,968	40	2,325	..	1,849	40	1,395	..	1,864	..
4. Rajahmundry ..	..	..	..	..	..	..	Not available.	..	..	..	..	..	..	..	..	..
5. Cocanada ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
6. Peddapuram ..	1,067	..	868	40	906	..	1,335	..	..	..	..	..	..	..	..	..
7. Pithapuram ..	693	40	765	40	673	40	626	..	1,340	..	1,065	..	1,151	..	..	..
8. Tuni ..	..	..	..	..	292	..	353	..	764	..	711	..	744	..	1,001	40
9. Bhadrachalam ..	78	40	61	..	53	..	49	..	312	40	282	..	353	40	805	40
10. Yellavaram ..	234	40	228	..	259	..	313	40	60	20	110	20	142	..	386	40
11. Rampa Chodavaram ..	108	40	102	40	107	..	162	..	312	..	334	40	360	40	144	40
12. Polavaram ..	195	40	203	..	197	..	189	..	189	..	183	..	197	..	409	40
13. Nugar ..	Not available.	189	..	179	..	191	40	145	40	260	40
Total ..	5,532	40	7,426	40	7,648	40	8,026	40	8,552	20	7,740	20	7,443	40	7,996	..

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Taluks.	1918.		1919.		1920.		1921.		1922.		1923.		1924.	
	Seers (18)	Tolas. (19)	Seers (20)	Tolas. (21)	Seers. (22)	Tolas. (23)	Seers. (24)	Tolas. (25)	Seers. (26)	Tolas. (27)	Seers. (28)	Tolas. (29)	Seers. (30)	Tolas. (31)
1. Kamachandrapuram.	1,416	..	1,919	40	1,899	..	1,825	..	1,840	..	1,791	40	1,951	40
2. Razola ..	924	..	936	..	959	40	1,119	..	939	40	1,013	40	923	..
3. Amalapuram ..	1,813	..	1,810	40	1,879	..	1,870	40	2,046	..	1,716	40	1,555	40
4. Rajahmundry ..	846	40	716	..	800	40	841	..	833	..	826	40	745	40
5. Cocanada ..	485	..	1,197	..	1,491	..	1,411	..	1,549	..	1,477	40	1,735	40
6. Peddapuram ..	863	..	547	..	914	40	950	40	1,026	..	1,008	40	862	40
7. Pithapuram ..	702	..	777	..	809	40	815	40	943	40	881	..	797	40
8. Tuni ..	340	..	452	..	333	40	592	..	422	..	289	..	288	..
9. Bhadrachalam ..	146	..	128	40	143	..	124	40	119	..	106	..	134	..
10. Yellavaram ..	480	..	328	..	189	..	161	40	160	..	172	..	181	..
11. Rampa Chodavaram.	230	40	141	..	153	..	159	40	234	40	169	..	145	..
12. Polavaram ..	222	40	216	..	235	40	273	..	54	..	243	..	251	40
13. Nugur ..	22	40	21	..	44	..	43	..	44	..	45	..	56	..
Total ..	8,286	..	9,169	40	9,842	..	9,689	..	10,400	40	9,739	..	9,642	40

Remarks.—The figures for 1910—1917 are not available as the Tahsildars of Rajahmundry and Cocanada report that the records were destroyed under the rules.

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Statement showing the quantity of opium sold for consumption during the years 1910—1924 in each of the taluks of West Godavari.

Taluka.	1910.		1911.		1912.		1913.		1914.		1915.		1916.	
	Seers. (2)	Tolas (3)	Seers (4)	Tolas (5)	Seers. (6)	Tolas (7)	Seers (8)	Tolas (9)	Seers (10)	Tolas (11)	Seers. (12)	Tolas. (13)	Seers. (14)	Tolas. (15)
Narasapur ..			Not available.											
Tanuku ..			Do.											
Bhimavaram.			Do.		818	40	1,164		1,342		(a) 1,109		1,538	40
Yernagudem.	241	40	200		266	40	928		968	40	1,053		1,071	
Ellore ..			Not available				279	40	284		278		264	40
							(b) 343		539		465		436	
Total ..											4,200	40	4,259	40

Taluka.	1917.		1918.		1919.		1920.		1921.		1922.		1923.		1924.	
	Seers. (16)	Tolas. (17)	Seers (18)	Tolas. (19)	Seers. (20)	Tolas (21)	Seers. (22)	Tolas (23)	Seers. (24)	Tolas (25)	Seers. (26)	Tolas. (27)	Seers. (28)	Tolas. (29)	Seers. (30)	Tolas. (31)
Narasapur ..	1,847		1,982	40	1,184		842		1,069	40	1,105	40	1,074	40	1,103	40
Tanuku ..	1,145		1,389	40	835		826		718	40	731	40	745		744	
Bhimavaram.	965	40	915	40	872	40	823		826	40	721	40	773		796	
Yernagudem.	311		263		212	40	195		167	40	176		197	40	217	40
Ellore ..	411		353	40	242		362		315	40	316		296		282	40
Total ..	4,679	40	4,914		3,346		3,048		3,097	40	3,090	40	3,086		3,143	40

(a) Does not include the figures for January 1916 which are not available.

(b) Does not include the figures for January 1913 to March 1913 (both inclusive) which are not available.

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APPENDIX II.

[Vide answer to question No. 1302 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 9th February 1926, page 202 supra.]

List of members of the Rasipuram Union Board, Salem district.

Serial number.	Name of member.	Whether elected or nominated.
1.	M.R.Ry. D. M. Bommansa Chettiyar	... Nominated.
2.	„ Nainamalai Kandappa Chettiyar	... Do.
3.	„ Vaidyam Ramaswami Chettiyar	... Do.
4.	„ P. V. Marimuthu Chettiyar	... Elected.
5.	„ Venkatachala Udayar	... Do.
6.	„ Muthialuswami Nayudu	... Do.
7.	T. S. Mohideen Sahib	... Do.
8.	M.R.Ry. Subbaraya Mudaliyar	... Do.
9.	„ Varadappa Goundar	... Do.
10.	„ Kuppana Goundar	... Do.
11.	„ Kandappa Goundar	... Do.
12.	„ Ramaswami Goundar	... Do.

APPENDIX III.

[Vide answer to question No. 1310 asked by the Raja of Ramnad at the meeting of the Legislative Council held on the 9th February 1926, page 211 supra.]

Draft Rule.

Travelling allowance may be drawn by the President and Commissioners of the Board and by the officers and servants of the Board in accordance with the Madras Travelling Allowance Rules for the time being in force.

Provided that the President and Commissioners of the Board shall not be placed below grade III under the Madras Travelling Allowance Rules whatever the salary drawn may be.

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APPENDIX IV.

[Vide 'Communications to the Council' at page 234 supra.]

Proceedings of the ninth meeting of the Finance Committee for 1925-26 held on the 6th January 1926 at 11-30 a.m. at the Cabinet Chamber, Fort St. George.

PRESENT:

The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S. (*Chairman*).
 M.R.Ry. C. RAMALINGA REDDI Garu, M.L.C.
 „ P. N. MARTHANDAM PILLAI Avargal, M.L.C.
 „ K. PRABHAKARAN TAMPAN Avargal, M.L.C.
 „ Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU Garu, M.L.C.
 MUHAMMAD GHOUSE MIAN SAHIB Bahadur, M.L.C.
 MUHAMMAD MOOSA SAIT Bahadur, M.L.C.
 G. T. BOAG, Esq., I.C.S., M.L.C.
 Mr. V. T. Krishnama Achariyar, C.I.E., Secretary to Government, Law Department, was also present.

The Committee considered the Part II schemes for 1926-27 relating to the Law Department. A classified list showing the recommendations of the Committee on Part II schemes is printed as a separate appendix.

D. PAPERS PLACED ON THE TABLE.

- (1) Note on the item "Classification of the road over the Kistna anicut at Bezwada as a trunk road."
- (2) Part I estimates for 1926-27.

Proceedings of the tenth meeting of the Finance Committee for 1925-26 held on the 7th January 1926 at 11-30 a.m. at the Cabinet Chamber, Fort St. George.

PRESENT:

The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S. (*Chairman*).
 M.R.Ry. C. RAMALINGA REDDI Garu, M.L.C.
 „ P. N. MARTHANDAM PILLAI Avargal, M.L.C.
 „ K. PRABHAKARAN TAMPAN Avargal, M.L.C.
 „ Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU Garu, M.L.C.
 MUHAMMAD GHOUSE MIAN SAHIB Bahadur, M.L.C.
 Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur, M.L.C.
 G. T. BOAG, Esq., I.C.S., M.L.C.
 Mr. V. T. Krishnama Achariyar, C.I.E., Secretary to Government, Law Department, was also present.

The remaining Part II schemes relating to the Law Department were considered by the Committee. A list showing their recommendations is printed as a separate appendix.

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Proceedings of the eleventh meeting of the Finance Committee for 1925-26 held on the 8th January 1926 at 11-30 a.m. at the Cabinet Chamber, Fort St. George.

P R E S E N T :

The hon. Mr. F. E. MOIR, C.S.I. C.I.E., I.C.S. (*Chairman*).

M.R.Ry. C. RAMALINGA REDDI Garu, M.L.C.

„ P. N. MATHANDAM PILLAI Avargal, M.L.C.

„ K. PRABHAKARAN TAMPAN Avargal, M.L.C.

„ Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU Garu,
M.L.C.

MOHAMMAD GHOUSE MIAN SAHIB Bahadur, M.L.C.

Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur, M.L.C.

G. T. BOAG, Esq., I.C.S., M.L.C.

Messrs A. Y. G. Campbell, C.I.E., C.B.E., I.C.S., Chief Secretary to Government, V. T. Krishnama Achariyar, C.I.E., Secretary to Government, Law Department, and H. R. Uzielli, I.C.S., Deputy Secretary to Government, Local Self-Government Department, were also present.

The Committee considered the Part II schemes for 1926-27 relating to the Local Self-Government Department. The recommendations of the Committee are printed in a separate appendix.

The Committee also considered the following schemes :—

**B. SCHEMES FOR INTRODUCTION IN THE
CURRENT YEAR.**

**(1) Appointment of a Special Officer for the revision
of Rules in the High Court.**

Abstract of the proposal.—The High Court brought to notice the necessity for the revision of the High Court Fees Rules, 1902, the Insolvency Rules, 1910, and the rules framed under the Indian Companies Act, 1913, and suggested that such amendments as were found necessary as a result of the Civil Justices Committee's recommendations and the recommendations of the Taxation Committee regarding the fees to Vakils and Advocates on the Original Side and fees for appearances before the Official Referee should also be incorporated in the rules. When the rules were last revised in 1909, an officer was placed on special duty, and it is now proposed to place Mr. White, Deputy Registrar, Original Side, on special duty for two months and to allow him the services of a clerk. The extra expenditure in the current year is expected to amount to Rs. 1,890 and can be met from the existing appropriation in the budget under "24. Administration of Justice."

Extra cost.

1925-26.

Non-recurring Rs. 1,890

Recommendation of the Committee.—The Committee recommended the scheme for acceptance.

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(2) Allowances to medical officers engaged partly in teaching and partly in hospital duties.

Abstract of the proposal.—Prior to 1918, Assistant Surgeons employed in the Medical College, Madras, and in the various medical schools who had both college and hospital duties, received no teaching allowance. The teaching appointments were consequently unpopular and great difficulty was experienced in retaining good men in these posts. Accordingly, the distinction between officers engaged actually in teaching and those engaged partly in teaching and partly in hospital work was abolished in 1918 and the scale of allowances was revised. The Medical and Public Health Retrenchment Committees recommended the grant of teaching allowances to both classes of officers, but reduced the scale of allowances. The Government, while accepting the reduced scale, were not satisfied that there was sufficient justification for the grant of any special allowance to those engaged partly in teaching and partly in hospital duties. The matter was referred to the Surgeon-General who strongly deprecated any distinction being made between the so-called whole-time and part-time lecturers as the difference would lead to anomalous results in several cases. It is accordingly considered that officers who are entrusted with hospital work in addition to teaching work should be allowed to draw special pay at the same rates as those who do teaching work but have no hospital duties, the rates of special pay being as follows:—

	Madras. RS. (Per mensem)	Mufassal. RS. (Per mensem)
Lecturers in the Medical schools (Civil Assistant Surgeons)	150 *	100
Assistant Professors in the Medical Colleges (Civil Assistant Surgeons) ..	126	75
Assistant Lecturers in the Medical schools (Sub-Assistant Surgeons)	55 *	30

* In the case of lecturers and assistant lecturers in the Lady Willingdon Medical School for Women, Madras, it is not considered necessary to adopt the enhanced rates of special pay of Rs. 150 and Rs. 55, respectively, as there are no similar appointments in the mufassal.

Extra cost.

	1925-26. RS.	Ultimate. RS.
Recurring	3,200	25,560

Recommendation of the Committee.—The Committee recommended the scheme for acceptance.

(3) Construction of a Medical School for Women and extension of the Victoria Caste and Gosha Hospital, Triplicane.

In 1922, the Government decided to provide a separate medical school for women in Madras to meet the urgent demand for greater facilities for the medical education of women. It was intended to attach the school to the Victoria Caste and Gosha Hospital, Triplicane. But pending the provision of permanent buildings, the school was opened in the Victoria Buildings, Egmore

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where it still continues. It was, however, subsequently decided to link the medical school scheme with that of the Children's Hospital and Victory Hall, for which about 6 lakhs had been collected by way of public subscriptions. The cost of both the schemes was estimated at 2½ lakhs, of which 6 lakhs were to be met out of the subscriptions collected by the Prince of Wales Children's Hospital and the Victory Hall Committees, the remaining 17 lakhs being provided by Government. An expenditure of Rs. 2,60,247 has actually been incurred on the work. Doubts have since been expressed as to the suitability of the site selected for the combined scheme and the Surgeon-General has reported that the scheme was planned on a much more elaborate scale than was actually necessary. A revised scheme has been drawn up with a view to retain the Victoria Caste and Gosha Hospital on its present site and to enlarge it by the addition of an operation theatre, a post-operation ward of 10 beds, a children's ward of 30 beds, a general ward of 20 beds and a delivery room and labour ward of 20 beds, making in all an addition of 80 beds. A medical school building with hostels for students and quarters for servants is also to be built. The estimated cost of the proposal is 8.55 lakhs and including additional expenditure on the acquisition of land required for the purpose, it is not likely to exceed 9 lakhs. The above scheme leaves out of account the Children's Hospital and the Victory Hall originally contemplated. It is proposed to meet the cost of the scheme to the extent of 2 lakhs by realization of the sale of securities standing to the credit of the Victoria Caste and Gosha Hospital and the balance from Provincial funds. As detailed plans and estimates have not yet been prepared for the revised scheme, the sum of 2 lakhs to be realized by the sale of securities will suffice for the requirements in 1926-27.

Recommendation of the Committee.—The Committee were of opinion that as the scheme involves an expenditure of at least 8½ lakhs of public money, the assent of the Legislative Council to the scheme should be secured by moving a token motion in connexion with the budget.

The Committee also considered that when the scheme is put before the Legislative Council, the Medical Department should be in a position to give an assurance to the Legislative Council that the scheme is a final and settled one.

Proceedings of the twelfth meeting of the Finance Committee for 1925-26 held on the 9th January 1926 at 11-30 a.m. at the Cabinet Chamber, Fort St. George.

PRESENT :

The hon. Mr T. E. MOIR, C.S.I., C.I.E., I.C.S. (Chairman)

M.R.Ry. C. RAMALINGA REDDI Garu, M.L.C.

„ P. N. MARTHANDAM PILLAI Avargal, M.L.C.

„ K. PRABHAKARAN TAMPAN Avargal, M.L.C.

„ Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU Garu, M.L.C.

MUHAMMAD GHOUSE MIAN SAHIB Bahadur, M.L.C.

Khan Bahadur P. KHALIF-UL-LAH SAHIB Bahadur, M.L.C.

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G. T. BOAG, Esq., I.C.S., M.L.C.

Messrs. G. H. Cooke, I.C.S., Under Secretary to Government, Development Department, O. S. Martin, Chief Forest Engineer and R. D. Anstead, Director of Agriculture, were also present.

The Committee took up the consideration of the Part II schemes for 1926-1927 relating to the Development Department. A list showing the recommendations of the Committee is printed as a separate Appendix.

Proceedings of the thirteenth meeting of the Finance Committee for 1925-26 held on the 11th January 1926 at 11-30 a.m. at the Cabinet Chamber, Fort St. George.

PRESENT :

The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S. (*Chairman*).

M.R.Ry. C. RAMALINGA REDDI GARU, M.L.C.

,, P. N. MARTHANDAM PILLAI AVARGAL, M.L.C.

,, K. PRABHAKARAN TAMPAN AVARGAL, M.L.C.

G. T. BOAG, Esq., I.C.S., M.L.C.

Messrs. H. M. Hood, I.C.S., Secretary to Government, Revenue Department, and V. P. Rao, I.C.S., Secretary to Government, Development Department, were also present.

The Committee took up the consideration of the remaining portion of the Part II schemes relating to the Development Department and the schemes relating to the Revenue Department. A list showing the recommendations of the Finance Committee is printed as a separate appendix.

Proceedings of the fourteenth meeting of the Finance Committee for 1925-26 held on the 12th January 1926 at 12 noon at the Cabinet Chamber, Fort St. George.

PRESENT :

The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S. (*Chairman*).

M.R.Ry. C. RAMALINGA REDDI GARU, M.L.C.

,, P. N. MARTHANDAM PILLAI AVARGAL, M.L.C.

,, K. PRABHAKARAN TAMPAN AVARGAL, M.L.C.

G. T. BOAG, Esq., I.C.S., M.L.C.

Messrs. V. P. Rao, I.C.S., Secretary to Government, Development Department, A. Y. G. Campbell, C.I.E., C.B.E., I.C.S., Chief Secretary to Government, V. T. Krishnama Achariyar, C.I.E., Secretary to Government, Law Department, and F. B. Evans, C.S.I., I.C.S., Secretary to Government, Public Works Department, were also present.

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A. PART II SCHEMES.

The Committee considered the Part II schemes for 1926-1927 relating to the Chief Secretariat and the Public Works and Finance Departments. A list showing the recommendations of the Committee is printed as a separate appendix.

OTHER SCHEMES.

Permanent retention of the Government dispensary at Nandapur in the Vizagapatam Agency.

Abstract of the proposal.—In pursuance of the recommendation of the Agency Conference in July 1922, a dispensary was opened at Nandapur on the 8th August 1923. It is being continued on a temporary footing as an experimental measure, as the Surgeon-General stated that some of the medical institutions already opened in the Agency did not justify their existence as full-time institutions. The dispensary has now been working successfully for over two years and the Surgeon-General and the Agent to the Governor, Vizagapatam, recommend that the dispensary be made permanent. The Government propose to sanction the permanent retention of this dispensary.

Extra cost.

Nil.

Recommendation of the Committee.—The Committee recommended the retention of the Government dispensary at Nandapur in the Vizagapatam Agency.

GENERAL.

With regard to Part II schemes, the Committee was strongly of the opinion that preference should not be given to any scheme placed in class III to the exclusion of those placed in class II.

At the conclusion of the meeting, it was decided that the classification made tentatively by the Committee should stand as the Committee's recommendation and that the decision which schemes should be included in the budget should be left to the Cabinet.

FORT ST. GEORGE,
25th January 1926.

T. E. MOIR.

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, the 10th February 1926.

The House met at 11 o'clock, with Mr. President (the hon. Mr. M. RUTHNASWAMY, M.A., Bar.-at-Law) in the chair.

PRESENT:

- | | |
|----------------------------------------------------------|----------------------------------------------|
| Ramaswami Ayyar, K.C.I.E., The hon. Sir C. P. | Muttayya Mudaliyar, Mr. C. |
| Marjoribanks, C.S.I., C.I.E., The hon. Mr. N. E. | Muttayya Mudaliyar, Mr. S. |
| Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad. | Muttu Chettiyar, Mr. P. C. |
| Moir, C.S.I., C.I.E., The hon. Mr. T. E. | Narasimha Raju, Rao Bahadur C. V. S. |
| Raja of Panagal, The hon. the. | Narayanan Nambudiripad, Rao Bahadur O.M. |
| Patro, Kt., The hon. Rao Bahadur Sir A. P. | Narayanaswami Pillai, Mr. T. M. |
| Sivagnanam Pillai, Kt., The hon. Diwan Bahadur Sir T. N. | Natesa Mudaliyar, Rao Bahadur C. |
| Abbas Ali Khan, Mr. | Noyce, C.S.I., C.B.E., I.C.S., Mr. F. |
| Abdul Wahab Sahib, Mr. M. | Obalesappa, Mr. B. |
| Abdulla Ghatala Sahib, Mr. | Pandrang Row, Mr. V. |
| Adinarayana Chettiyar, Mr. T. | Pantulu Ayyar, Mr. V. |
| Anjaneyulu, Mr. P. | Peddiraju, Mr. P. |
| Appavu Chettiyar, Mr. D. | Ponnuswami Pillai, Mr. K. S. |
| Ari Gowder, Mr. H. B. | Prabhakaran Tumpun, Mr. K. |
| Arpudaswami Udayar, Mr. S. | Premayya, Mr. G. |
| Arumuga Nadar, Mr. P. K. S. A. | Raghuoandra Ballal, Mr. K. |
| Bhanoji Rao, Mr. A. V. | Raja, Rao Bahadur M. O. |
| Biawanath Das Mahasayo, Sriman. | Raja of Ramnad. |
| Boag, Mr. G. T. | Rajan, Mr. P. T. |
| Chidambara Nadar, Mr. A. | Rajappa, Mr. P. S. |
| Cruz Fernandez, Rao Bahadur. | Ramachandra Reddi, Mr. B. |
| Devendrudu, Mr. N. | Raman, Rao Bahadur P. |
| Ellappa Chettiyar, Rao Sahib S. | Raman Menon, Mr. K. P. |
| Ethirajulu Nayudu, Diwan Bahadur P. C. | Ramalinga Chettiyar, Rao Bahadur T. A. |
| Evans, C.S.I., Mr. F. B. | Ramalinga Reddi, Mr. C. |
| Gangaraju, Mr. M. | Ramaswami Mudaliyar, Mr. A. |
| Ghouse Mian Sahib, Mr. Muhammad. | Ranganatha Mudaliyar, Mr. A. |
| Gopala Menon, Mr. C. | Sagaram, Mr. P. |
| Gopalan, Rao Sahib P. V. | Saldanha, Mr. J. A. |
| Guruswami, Mr. L. C. | Sami Venkatachalam Chetti, Mr. |
| Haji Qasim Sahib Bahadur, Khan Bahadur | Samuel, Mr. J. D. |
| Haji Abd-ul-Jah | Surabha Reddi, Mr. K. |
| Hegde, Mr. Naganna. | Sarvarayudu, Mr. K. |
| Kesava Pillai, C.I.E., Diwan Bahadur P. | Sasibhushan Rath Mahasayo, Sriman. |
| Khadir Mohiddin Elyas Khan Sahib Bahadur. | Satyamurti, Mr. S. |
| Khalif-ul-Jah Sahib Bahadur, Khan Bahadur P. | Setaratnam Ayyar, Mr. M. R. |
| Koti Reddi, Mr. K. | Sitarama Reddi, Mr. K. |
| Krishnan Nayar, Diwan Bahadur M. | Srinivasa Ayyangar, Mr. R. |
| Krishna Rao Pantulu, Rao Bahadur A. F. | Srinivasan, Rao-Sahib R. |
| Krishnaswami Nayudu, Rao Bahadur K. | Subbarayan, Dr. P. |
| Kuppuswami, Mr. J. | Subramania Pillai, Mr. K. Chavadi |
| MacDongall, Kt., Sir Alexander. | Sundaramurti, Rao Sahib P. V. S. |
| Madanagopal Nayudu, Mr. R. | Suryanarayanamurti Nayudu, Diwan Bahadur K. |
| Madhava Raja, Mr. V. | Tangavelu Pillai, Rao Sahib T. C. |
| Madurai, Honorary Lieutenant. | Uppi Sahib, Mr. K. |
| Mallesappa, Mr. T. | Veerian, Mr. B. |
| Marakkayar Sahib Bahadur, Khan Bahadur V. Hamid Sultan. | Vellingiri Gounder, Mr. V. C. |
| Marthandam Pillai, Mr. P. N. | Venkatachala Padayachi, Mr. K. |
| Maruthavanam Pillai, Mr. C. | Venkatapati Razu, Mr. P. C. |
| Moidu Sahib, Mr. T. M. | Venkataramana Ayyangar, Mr. C. V. |
| Muniswami Nayudu, Rao Bahadur B. | Venkatarama Sastri, Mr. T. B. |
| Murugappa Chettiyar, Diwan Bahadur A. M. | Venkatareddi Nayudu, Kt., Bai Bahadur Sir K. |
| | Windle, Capt. E. G. |
| | Wood, Mr. C. E. |
| | Zamindar of Kallikota. |

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I

QUESTIONS AND ANSWERS.

[*Order made by the President of the Madras Legislative Council under Standing Order No. 15 on the 4th December 1924.*]

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpellator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question-time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.

Civil Justice.

Number of acting and permanent Sub-Judges and District Munsifs.

* 1331 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Government have considered the desirability of fixing the number of permanent Sub-Judges and District Munsifs that are necessary; and

(b) how many officers have been acting as Sub-Judges and District Munsifs for over three years?

A.—(a) The question is under consideration.

(b) Fifteen acting Sub-Judges and 32 acting District Munsifs.

Mr. R. SRINIVASA AYYANGAR:—“With reference to clause (a), may I ask the hon. the Law Member to tell us exactly how long the matter has been under consideration?”

The hon. Mr. N. E. MARJORIBANKS:—“My hon. Colleague the Law Member is unavoidably detained at present, Sir, and I will, to the best of my ability, answer the questions put to him. With regard to this particular question, I am sorry I cannot say how long it was.”

Mr. C. RAMALINGA REDDI:—“May I suggest, Mr. President, that this question may be adjourned for a few minutes?”

The hon. the PRESIDENT:—“All the questions addressed to the hon. the Law Member will be adjourned for a few minutes. The questions addressed to the hon. the Revenue Member will now be taken up.”

Irrigation.

Collection of ‘maramat’ charges of a channel between Karam and Valur villages.

* 1332 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Collector of North Arcot has issued ‘demands’ for the collection of ‘maramat’ charges of a Public Works Department channel between Karam and Valur villages in Wandiwash taluk, North Arcot district;

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(b) whether it is a fact that many tanks fed by the channel are treated as I and II class during resettlement and hence assessed to higher rates;

(c) whether it is a fact that the channel in question was repaired, always at Government cost;

(d) whether it is a fact that the channel in question feeds a large number of irrigation tanks in the Wandiwash taluk;

(e) whether it is a fact that orders were issued to collect a certain sum of money from the ryots of Valur, Agaram and Koilkuppam; and

(f) whether Government will be pleased to state whether a refund of such collections would be ordered and if not, why?

A.—No information is available. It will be called for if the hon. Member will specify the name of the channel and of the tanks fed by it.

Bridge over the Chintaguntapalem canal in Masulipatam.

* 1333 Q.—MR. S. R. Y. ANKINEDU PRASAD. Will the hon. the Law Member and the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the bridge over the Chintaguntapalem fresh water canal called 'Naguleru' in Masulipatam has been left in an unrepaired and neglected condition for several years by the municipality and the district board;

(b) whether it is a fact that there has been a dispute during this period between these two bodies as to which body should undergo the cost of repairing this bridge;

(c) whether the above said dispute between those two bodies has been settled and if so, in what way;

(d) whether it is true that the public have been greatly inconvenienced by blocking up the bridge completely in the summer season and partially at other times;

(e) whether it is a fact that a good deal of inconvenience is experienced by the public by closing the doors of the gate temporarily put up over the said bridge by 8 p.m. every night; and

(f) whether there is any possibility of the bridge being repaired at least this year?

A—(a) No.

(b) No.

(c) There has been a dispute on the question whether the cost of strengthening and improving the bridge should be borne by the municipality or the Public Works Department and it has been decided that it should be debited to Irrigation funds.

(d) & (e) The Government have no special information.

(f) Probably not in the current financial year.

Judicial and Executive Functions.

Separation of Executive and Judicial functions.

* 1334 Q.—RAO BAHADUR T. A. RAMALINGA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Government of India and the Secretary of State have passed final orders on the proposal to separate the Executive and Judicial functions; and

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(b) whether the Government propose to do anything to give effect to the desire of the people for separation ; if so, what they propose to do and when ?

A.—(a) The answer is in the negative.

(b) The Government can take no further action until they receive the orders of the Government of India

Police.

Removal of the police station at Pallikondai to Veppankuppam.

* 1335 Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether Government propose to replace the present police station at Pallikondai in North Arcot district by a police outpost and to remove the present police station to Veppankuppam ;

(b) whether Government are aware that Pallikondai is a large commercial village growing in importance and situated on the main road between Madras and Bangalore ;

(c) whether it is a fact that there have been recently cases of highway robbery on the road near Pallikondai ;

(d) whether it is a fact that in the vicinity of Pallikondai there are villages with large Muhammadan population and that feuds take place sometimes between the Hindu and Muhammadan communities in this area ;

(e) whether there was a proposal to remove the Pallikondai police station some time back and the same was subsequently given up ; and

(f) what the special reasons are which have been adduced for the present proposal ?

A.—(a) Yes.

(b) The Government have no information as to the increasing commercial importance of Pallikondai. They are aware that it is on the main road to Bangalore.

(c) & (d) The Government have no information.

(e) No proposal for the removal of Pallikondai police station has recently been considered by Government.

(f) Pallikondai is situated to the extreme north of the station limits and is 22 or 23 miles from some of the southern villages of its jurisdiction. Veppankuppam is more central and, in the opinion of the local officers, the police needs of Pallikondai will be satisfactorily met by the outpost which will be retained there.

Money spent by Government in the defamation suit brought by a Sub-Inspector of Police.

* 1336 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether the Government undertook to bear the cost of Mr. O. N. Gopala Ayyar, Sub-Inspector of Police, in the defamation suit he brought against Mr. Abdul Hye, M.L.C., and, if so, why ;

(b) the principles which govern the action of the Government in such cases ; and

(c) the amount of money spent by the Government in this case ?

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- A.—(a) The Government undertook to bear the costs of the suit subject to the result of the suit and subject to the further proviso that the amount expended by Government on this account or the amount recovered by the Sub-Inspector out of the damages decreed, whichever is less, should be repaid by him to the Government. Generally the Government give their servants adequate opportunity to protect themselves from defamatory attacks in the public press on their conduct as officials.
- (b) No general principles have been laid down. Each case is decided on its own merits.
- (c) Rs. 467-4-0. The amount will, however, be recovered from the damages awarded to the Sub-Inspector in the case.

State Prisoners.

Petition by the wife of Mr. M. P. Narayana Menon for her husband's release.

* 1337 Q.—Diwan Bahadur M. KRISHNAN NAYAR Will the hon. the Law Member be pleased to state what was the endorsement Ref. No. 7543/25, dated the 24th August 1925, of the District Magistrate of Malabar on the petition of Paramboke Kalliani Kutty Amma, wife of Mr. M. P. Narayana Menon, dated 21st August 1925, praying for the release of her husband (vide G.O. Mis. No. 1151, Public, dated 1st December 1925)?

A.—The endorsement is confidential.

Constitution of Districts.

Kistna district and Kistna river.

* 1338 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Member for Revenue be pleased to state whether it is a fact that in Government records the word 'Krishna' in connexion with the district as well as the river is spelt as 'Kistna'?

A.—The name of the district and river referred to is spelt Kistna in the Government records.

Mr. A. CHIDAMBARA NADAR:—"With regard to this word, will Government be pleased to correct the mistake, considering the religious feelings of the people in this matter?"

The hon. Mr. N. E. MARJORIBANKS:—"I do not see that there is any mistake or that any question of religion is concerned in the matter."

Mr. A. CHIDAMBARA NADAR:—"The real spelling is 'Krishna', and that is the name of one of the Gods of the Hindus. So I want to have it spelt correctly as 'Krishna' but not as 'Kistna'."

The hon. Mr. N. E. MARJORIBANKS:—"I think it is a matter of opinion whether 'Krishna' or 'Kistna' is the right representation of the vernacular word."

Mr. C. RAMALINGA REDDI:—"If my hon. Friend will allow me, I may, as one claiming a little more knowledge of the matter than he has, say that it is rightly suggested that 'Krishna' is the proper word instead of 'Kistna'."

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The hon. the PRESIDENT :—“ I suppose the difficulty is in regard to pronunciation and not in regard to spelling.”

Mr. C. RAMALINGA REDDI — “ The difficulty is one of spelling too ”

The hon. the PRESIDENT :—“ English spelling is so lawless that I think hon. Members may leave it there.”

Deputy Collectors.

Posting of senior Deputy Collectors for treasury duty

* 1339 Q.—The RAJA OF RAMNAD. Will the hon. the Member for Revenue be pleased to state why senior Deputy Collectors are generally posted for treasury duty ?

A.—Because senior officers who are nearing the age of retirement are as a rule not fitted for the active outdoor duties of a Divisional Officer or Land Acquisition Collector, but are well fitted for the important and responsible work of Treasury Deputy Collector.

Floods.

Damages caused by the cyclone on the West Coast.

* 1340 Q.—Diwan Bahadur M. KRISHNAN NAYAR : Will the hon. the Member for Revenue be pleased to state—

(a) the number of persons who died in consequence of the recent cyclone on the West Coast ;

(b) the number of boats that were destroyed ;

(c) the value of cargo that was lost ;

(d) the total estimated value of the damage that occurred on both land and sea ;

(e) whether any and, if so, what report regarding the disaster has been received from the Collector of Malabar ; and

(f) what steps have been taken by the Government to relieve the distress caused by the cyclone havoc ?

A.—(a) to (e) A report and statement ^a containing the details of damages received from the Collector of Malabar are laid on the table.

(f) A sum of Rs. 100-15-6 was spent by the Collector on the immediate relief of distress. He is taking measures to enable the fishermen to replace their lost boats with the assistance of private subscriptions.

Rao Sahib P. V. GOPALAN —“ The answer to clause (f) says that a sum of Rs. 100-15-6 was spent by the Collector on the immediate relief of distress and that he is taking measures to enable the fishermen to replace their lost boats with the assistance of private subscriptions. I know the amount which is available with the Collector out of public subscriptions is Rs 3,000 and after purchasing and supplying yarns to the fisherfolk, as decided by the Committee, there will be no fund left with the Collector for the measure

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referred to in the answer, i.e., to replace the lost boats. Under such circumstances, will the hon. Member for Revenue be pleased to sanction a sufficient amount and hand it over to the Collector of Malabar, if he has really got a wish to help the fishermen ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ We asked the Collector of Malabar whether he desired any grant and he replied in the negative.”

Rao Sahib P. V. GOPALAN :—“ May I know whether the Government have given any amount to the Collector for rendering any assistance to the distressed fishermen ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ We asked him if he required the grant and he replied in the negative.”

Mr. K. PRABHAKARAN TAMPAN :—“ May I know, Sir, whether it is a fact that the Collector did not demand any money for the purpose ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ As I already said, Sir, we asked him if he required any grant. He replied in the negative.”

Mr. K. PRABHAKARAN TAMPAN :—“ May I know whether the losses and damages referred to were confined only to the fishermen community or whether the cyclone extended to the interior of the district also ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I would refer the hon. Member to the Collector's report which has been laid on the table.”

Rao Sahib P. V. GOPALAN :—“ Seeing practically there is no arrangement made by the Government to save the lives of the fishermen and others engaged in sea-borne trade in cases of emergencies such as cyclones, etc., will the Government be pleased to have a steam-launch maintained in the West Coast so as to save the lives of the people who are out in the sea on such occasions ? ”

The hon. the PRESIDENT :—“ Order, order. That is a suggestion for action, not a request for information ”

Mr. K. PRABHAKARAN TAMPAN :—“ May I also know whether the Government have received any contribution from the public for the relief fund ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ That is what the Collector says he has received, Sir.”

Damages to crops due to heavy rains in Tanjore district.

1340-A Q.—Mr. V. PANTULU AYYAR : Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the recent heavy rains in the district of Tanjore and consequent destruction of paddy ready for harvest on a large scale and also almost the total failure of seasonal pulse ;

(b) if exact information is not available, whether the Government will be pleased to call for the same and take necessary action on the same ;

(c) whether Government are aware that numerous remission applications have already been made in places affected by the rains ;

(d) what action Government have taken in the matter ;

(e) what relief the Government propose to give to the suffering land-holders ;

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(f) whether Government will be pleased to make a statement as to what action they have taken after the recent rains and what they propose to do hereafter; and

(g) whether they have received any report on the situation from the District Collector of Tanjore, and if so, whether it will be placed on the table?

4—(a) A statement of the rainfall at the rain-recording stations in Tanjore for week ending 30th January 1926 is appended*. The weekly season report states that paddy was slightly damaged by heavy rains in parts but does not mention pulses

(b) With reference to letters which appeared in the newspapers the Government obtained a brief report from the Collector in which he states as follows:—

“There was continuous rain for about four days, 25th to 28th January, and on one of the days the rain was heavy, ranging from 3 to 5 inches in the coast taluks. Paddy that was actually ripe for harvest was submerged in low-lying fields. On my journey to Kumbakonam I noticed several such, but it was possible to harvest the paddy when the rains stopped. There would be some loss, 10 to 20 per cent perhaps. Fields which were not ready for harvest and had standing crops would not be damaged. I have had no reports of special damage nor any complaints, except one telegram concerned with dispute about drains.”

(c) No.

(e) The remission rules in the Board's Standing Orders apply.

(d), (f) & (g) Please see answer to clause (b). The Government are asking for a fuller and more detailed report on the situation. Further, as there appears some reason to think that the damage caused has been aggravated by defective drainage, the question whether this is so and whether any remedial measures are practicable will also be investigated.

Mr. V. PANTULU AYYAR.—“With reference to clause (a), is the hon. the Revenue Member aware that pulses such as greengram and blackgram are sown in single crop wet lands just before the harvesting of paddy, and when they were just sprouting the heavy rains have completely destroyed them?”

The hon. Mr. N. E. MARJORIBANKS:—“As to its being the practice, Sir, I am prepared to accept the hon. Member's statement; that they have been destroyed is a matter on which we have no information. As I have stated in the answer, we have called for a more detailed report.”

Mr. V. PANTULU AYYAR:—“Will the hon. Member be pleased to call for the information?”

The hon. Mr. N. E. MARJORIBANKS:—“I have said so, Sir, in the answer.”

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Mr. C. V. VENKATARAMANA AYYANGAR :—“ With reference to the answer to clauses (d), (f) and (g), may I know whether it is Tanjore alone that has suffered by these heavy rains, or other districts also, Coimbatore included ? ”

The hon. Mr N. E. MARJORIBANKS :—“ We have not asked for report for any district except Tanjore.”

Mr. C. RAMALINGA REDDI :—“ May I ask my hon. Friend whether these untimely rains are not present in practically all the districts, Chittoor for instance, and whether he will circularise all the district officers for information on the subject and take the necessary remedial measures ? ”

The hon. Mr N. E. MARJORIBANKS :—“ I do not think so, Sir, because the season reports do not show that there was any particular damage done in any other district.”

Mr. R. SRINIVASA AYYANGAR :—“ May I ask the hon. the Revenue Member to tell us exactly to what extent these rains have affected the crops in the district of South Arcot, especially the taluks of Chidambaram, Cuddalore and Vriddhachalam ? ”

The hon. the PRESIDENT :—“ That is a matter for a separate question.”

Mr A. RANGANATHA MUDALIYAR :—“ As the hon. the Revenue Member has referred to the season reports and the conditions in other districts, may I ask him with reference to Bellary if the rains of January last did not affect the cholam crop very much and the cotton crop appreciably ? ”

The hon. Mr N. E. MARJORIBANKS :—“ Not according to the weekly season reports, Sir ”

Mr. V. PANTULU AYYAR :—“ Is the hon Member aware that the measure of damage to Tanjore district consists of single crop wet lands and that the crops were ready for harvesting and that the harvesting had also actually commenced ? ”

The hon. Mr N. E. MARJORIBANKS :—“ I am prepared to take it from the hon. Member that it is so, Sir.”

Mr. V. PANTULU AYYAR :—“ The Collector's report states that he passed through the places in the train and saw that the paddy had been submerged in the rains but that it could be harvested as soon as the rain was over. Is the hon. the Revenue Member aware that till the water is drained the harvesting cannot be commenced and that in the meantime most of the paddy seeds ready for harvesting will begin to sprout and will not be fit as grain at all ? ”

The hon. Mr N. E. MARJORIBANKS :—“ I do not follow the question. I do not know what it is that the hon. Member wishes to ascertain from me, Sir.”

Mr. V. PANTULU AYYAR :—“ The Collector's report says that paddy ripe for harvest was submerged owing to rains but it could be harvested when the rains stopped. Is the hon. Member aware that it will take some time for it to become grain, and that in the meantime most of the paddy seeds will begin to sprout and there will be no grain because it will be fit only for seedlings ? ”

The hon. Mr N. E. MARJORIBANKS :—“ As an abstract proposition I may say that I agree with it.”

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Mr. MUHAMMAD GHOUSE MIAN SAHIB :—“In clause (b) the Collector says there is no special damage. Is it his conjecture or is it the result of any investigation made by him?”

The hon. Mr. N. E. MARJORIBANKS :—“I presume he made enquiries before he wrote his report.”

Mr. S. MUTTAYYA MUDALIYAR :—“In view of the fact that the Collector reported that the harvesting has been delayed and that it will take some time to drain the fields, and that the landholders will be in a very difficult position to sell the crops and then pay the kists in time, will the hon. the Revenue Member be pleased to issue orders to put off the rigorous collection of kists in January and February so as to enable the people to pay?”

The hon. Mr. N. E. MARJORIBANKS :—“The orders on the subject are clear. The Collector has got power and discretion to postpone the payment, and I do not propose to issue orders as desired.”

Mr. T. ADINARAYANA CHETTIYAR :—“With regard to the statement, contained in the answer, of the Collector that the loss is 10 or 20 per cent, will the hon. the Revenue Member be pleased to state how he has arrived at that figure because my own information is that we cannot estimate the harvest that is submerged.”

The hon. Mr. N. E. MARJORIBANKS :—“I do not know the ground on which he made his estimate, and that is why we have called for a fuller report.”

Mr. S. MUTTAYYA MUDALIYAR :—“Will the hon. the Revenue Member be pleased to ask the Collector whether he thinks, under the circumstances, that any postponement of the collection of the kists is necessary?”

The hon. Mr. N. E. MARJORIBANKS :—“No, Sir. He has the power to act on his own initiative.”

Mr. A. RANGANATHA MUDALIYAR :—“Sir, may I know whether, if the Collector thinks he can postpone collection, he can postpone it to a date within the fasli or beyond the fasli?”

The hon. Mr. N. E. MARJORIBANKS :—“Not beyond the fasli but within the fasli.”

Mr. V. PANTULU AYYAR :—“With reference to clause (c), the hon. Member says that he is not aware whether any remission applications have been received. Will the hon. Member for Revenue be pleased to suspend the collection till the extent of damage is ascertained?”

The hon. Mr. N. E. MARJORIBANKS :—“I have already answered that question, Sir.”

Mr. S. MUTTAYYA MUDALIYAR :—“Will the hon. the Revenue Member be pleased to issue notifications to the people saying that remissions will be granted for those that suffered damages and that applications are invited within a particular period?”

The hon. Mr. N. E. MARJORIBANKS :—“No, Sir. I think people are quite aware of it.”

Mr. S. MUTTAYYA MUDALIYAR :—“I am afraid that the hon. the Revenue Member thinks that the people know, what is contained in the Standing Orders. I may say that they do not know. I may also say that I myself

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did not know that persons that suffered damages from these rains will be entitled to put in remission applications. So, I think it is better for the Government to invite applications, so that they may not say later on that those applications are either too early or too late."

The hon. Mr. N. E. MARJORIBANKS :—"I do not agree with the questioner, Sir "

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Is it not a fact that according to the Standing Orders that in cases of general distress no remission applications need be made?"

The hon. Mr. N. E. MARJORIBANKS :—"In cases of general distress these applications need not be made."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"In view of the answers given, 11-15 Sir, will the hon. the Revenue Member be pleased to enquire whether the a.m. action of the Collector is defective in regard to the suspension of collection and pending the enquiry order the suspension of collection under the particular circumstances?"

The hon. Mr. N. E. MARJORIBANKS :—"On the information that the Government is in possession of, there is no reason to suppose that there is general distress and therefore until we get further report I am unable to agree to take the action suggested."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Is it not a fact that Government have no definite information, that the Collector does not call it a case of either general distress or no distress? In view of that, will not Government call for a report from the Collector as to what his opinion is on the matter and whether he is going to give effect to the Board's Standing Orders in case he comes to the conclusion that it is general distress."

The hon. Mr. N. E. MARJORIBANKS :—"We have called for a report and will consider what further action is necessary on receipt of the fuller report."

Mr. S. MUTTAYYA MUDALIYAR :—"Will the hon. the Revenue Member be pleased to state whether he does not consider that a loss of 10 to 20 per cent is general distress to landholders?"

The hon. Mr. N. E. MARJORIBANKS :—"It depends upon the crop, Sir."

Mr. V. PANTULU AYYAR :—"The hon. Member suggests that the damage has been aggravated by defective drainage. As Government are responsible for defective drainage, will not the hon. Member consider the desirability of suspension of taxes and the earlier remedying of the disadvantages?"

The hon. Mr. N. E. MARJORIBANKS :—"I am not prepared to admit the premiss."

Mr. S. MUTTAYYA MUDALIYAR :—"The hon. the Revenue Member said that, whether it is general distress or not depends upon the crops. I am giving it for the information of the hon. Member that the crop is a paddy crop and the loss is from 10 to 20 per cent. In the circumstances, is it general distress or not?"

The hon. Mr. N. E. MARJORIBANKS :—"If it is a bumper crop, a loss of 10 to 20 per cent will not cause general distress."

Mr. S. MUTTAYYA MUDALIYAR :—"Even then it is a great distress. It is a matter on which Government and we may differ."

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Land Revenue.*Removal of brick-kilns in poramboke lands in Wandiwash taluk.*

* 1341 Q.—**MR. T. ADINARAYANA CHETTIYAR**: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that when brick-kilns are set up in poramboke lands it is usual to charge penal assessment only;

(b) whether it is a fact that the kilns were removed by Government and sold by auction, in Valur and other villages in the Wandiwash taluk of the district of North Arcot;

(c) whether it is a fact that the ryots were put to a considerable loss and inconvenience by such procedure on the part of Government; and

(d) whether Government have inquired into the matter?

A.—(a) There is no general rule or practice to this effect. Under Act III of 1905 it is in the discretion of the Collector after considering the facts to impose a penalty or not or to evict.

(b), (c) & (d) The Government have no information but have sent these questions and answer to Collector for examination of the matter with reference to what is understood to be the suggestion, namely, that local practice in the past has led to the belief that porambokes may be utilized in this way for an extra payment.

MR. T. ADINARAYANA CHETTIYAR.—“ May I ask the hon. the Revenue Member to direct the Collector to hold an enquiry into the matter with the help of the ryots and not merely to decide on the records available in his office? ”

The hon. **MR. N. E. MARJORIBANKS**.—“ I understand that the question suggested that it has been customary for people to be allowed to do this on a moderate payment but that they were now being evicted. Therefore we have put the matter to the Collector so that he may consider whether he should modify the orders if the orders are as stated.”

MR. T. ADINARAYANA CHETTIYAR.—“ As it is a matter of local custom, I think the proper procedure will be arrived at, if the Collector holds an enquiry with the help of the ryots. It is a custom going on for many generations. Therefore I would like the hon. Member to suggest to the Collector to hold an enquiry in this taluk.”

The hon. **MR. N. E. MARJORIBANKS**.—“ I am afraid, Sir, it is a matter which we must leave to the Collector. I am not prepared to instruct him as to the exact manner in which he should discharge his duties.”

MR. T. ADINARAYANA CHETTIYAR.—“ A suggestion to that effect will be very good.”

Grant of timber and palmyra leaves to the villagers of Chinnayampettai.

* 1342 Q.—**MR. T. ADINARAYANA CHETTIYAR**: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware that over 200 houses were burnt down in the village of Chinnayampettai in Tiruvannamalai taluk, North Arcot district, over a year ago;

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(b) whether it is a fact that Government were pleased to order the free grant of two cart-loads of timber and 500 palmyra leaves to each sufferer ;

(c) whether Government are aware there are no palmyra trees in the area allotted to the ryots for taking the free supply of 500 leaves from ;

(d) whether it is a fact that the reserve allotted for taking the timber from has no timber at all and that it is scrub-jungle producing only fire-wood ;

(e) whether Government propose to allot any other suitable reserve for the people to get their free timber from ; and

(f) whether Government will be pleased to state whether they cannot grant money-grants in lieu of the 500 palmyra leaves allowed ?

A.— (a) to (f) The Government received no application or report and is not aware of the circumstances of the case. The Collector has power to make grants of forest produce in relief of poor persons in such cases and has discretion to substitute money grants where forest produce cannot be had, applying for an allotment if necessary. In the circumstances, the Government do not propose to move in the matter.

Mr T. ADINARAYANA CHETTIYAR —“ It is stated in the answer that Government received no application. I have here a copy of the memorial submitted by the villagers to Government and I find that it has been submitted in July last and I am not aware why the post has been so partial in the matter. All the same I drew the attention of the Divisional Officer on 21st July last. I wonder why the Government is not aware of it. Two hundred and fifty houses have been burnt and several people have left the village altogether. I have no objection to transmit the memorial copy received by me.”

The hon. Mr. N. E. MARJORIBANKS :—“ If the hon. Member assures me that the Collector has refused to give any relief, I will go into the matter.”

Mr. T. ADINARAYANA CHETTIYAR : —“ They have applied ; but they have not been refused in so many words ”

The hon. Mr. N. E. MARJORIBANKS :—“ If the hon. Member assures me that it is so, I shall be glad to do the needful.”

Mr. T. ADINARAYANA CHETTIYAR :—“ I had been that side some weeks back and the conditions are the same.”

Minor Irrigation.

Grievances of ryots holding lands under Kaveripauk tank.

* 1343 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether it is a fact that the ryots holding lands under the Kaveripauk tank, in Kaveripauk village, in Arkonam taluk, in the district of North Arcot, are in distress ;

(b) whether it is a fact that for the past seven or eight months of the present year there has been no supply of water in the Kaveripauk tank ;

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(c) whether it is a fact that during the two previous years also there has been a serious shortage of water in the Kaveripauk tank ;

(d) whether it is a fact that several ryots have shown their lands under this tank as puludi (புலுடி) depending solely on expected seasonal rains ;

(e) whether it is a fact that there has been no rainfall in that area during the current fasli ;

(f) whether it is a fact that these puludi crops are withering for want of water ;

(g) whether it is a fact that the ryots holding lands under this tank have sent a memorial to the Collector of North Arcot praying that under the peculiarly adverse conditions of this year that only 'dry' rates should be collected from them ; and

(h) whether the Collector of North Arcot has visited the area and made the necessary inquiries into the grievances set forth in the mahazar ?

A —(a) to (h) The Government is not aware of any distress in the locality. The weekly season reports state that the water-supply in the tanks in the Arkonam taluk is generally sufficient and there was $26\frac{1}{2}$ inches of rain in the tract from August to November 1925. The Government have no other information on the points raised in the question.

Mr. T. ADINARAYANA CHETTIYAR :—" May I know from the report if there was $26\frac{1}{2}$ inches of water ? What was the date ? "

The hon. Mr. N. E. MARJORIBANKS :—" It is not a report of water in the tank but of rainfall in the tract."

Mr. T. ADINARAYANA CHETTIYAR :—" During the period covered by my question — I sent my question on the 26th December—there was distress and the ' puludi ' (புலுடி) crop had practically failed. Are Government aware of it ? Have the district officers inspected and satisfied themselves about the matter ? "

The hon. Mr. N. E. MARJORIBANKS :—" The Government are not aware beyond what is stated in the answer."

Mr. T. ADINARAYANA CHETTIYAR :—" My own information is that at the time of the period referred to, there was no water and the crop suffered. Three or four weeks subsequently owing to the December rains there was some water. During the period about which I have interpellated, there has been no water. In the light of this information, will the hon. Member ascertain from the Collector whether it is a fact ? "

The hon. Mr. N. E. MARJORIBANKS :—" If the hon. Member assures me from his personal knowledge about the time he speaks of, I will make an inquiry "

Mr. T. ADINARAYANA CHETTIYAR :—" I can assure the hon. Member. I had been to the place between November and February at least three times."

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Revenue Establishment.

Recruitment of probationary Revenue Inspectors and Deputy Tahsildars from depressed classes.

* 1344 Q.—Mr. R. VEERIAN: With reference to question No 490 answered at the meeting dated 28th October 1925, will the hon the Member for Revenue be pleased to state—

(a) how many of the total number of 231 probationary Revenue Inspectors and 41 Deputy Tahsildars appointed belong to the depressed classes in each case; and

(b) the qualifications that are required to hold such posts?

A.—(a) The Government have no information regarding the number of probationary Revenue Inspectors who belong to the depressed classes

Two out of the 41 probationary Deputy Tahsildars appointed belong to the depressed classes

(b) Candidates for the post of probationary Revenue Inspector must possess the general educational qualification prescribed in article 1 of the Public Service Notification, must not be over 25 years of age and must be medically certified to be fit for the outdoor work involved in the duties of a Revenue Inspector.

For qualifications required of candidates for the post of probationary Deputy Tahsildar, the hon Member is referred to the Staff Selection Board's notification dated 23rd September 1925 inviting applications for appointment of probationary Deputy Tahsildars published in Part I-B of the *Fort St George Gazette* dated 29th September 1925.

Mr. R. VEERIAN:—"With reference to clause (b), may I know whether the Government are contemplating to exempt the so-called depressed classes from being examined by the Staff Selection Board for the various reasons stated in a memorial submitted by me to the Government?"

The hon. Mr. N. E. MARJORIBANKS:—"If the hon. Member has made any representation, I am sure it is receiving the most careful consideration at the hands of the Government."

The RAJA OF RAMNAD:—"May we know what the reference is?"

The hon. Mr. N. E. MARJORIBANKS:—"I understood that he has made a representation that the depressed classes should be exempted from selection by the Staff Selection Board. I should not have thought it a privilege to be exempted."

Mr. R. VEERIAN:—"May I know whether there are no other ways to find out the capacity and efficiency of a candidate without being examined by the Staff Selection Board?"

Depressed Classes.

House-sites for depressed classes in Vikravandi village, Villupuram taluk.

* 1345 Q.—Mr. R. VEERIAN: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that about 250 families belonging to the depressed classes are living in the Vikravandi village, Villupuram taluk, South Arcot district, in an island surrounded by lake water on all sides;

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(b) whether it is a fact that the lake water entered into their dwelling place on all sides; and

(c) whether any steps were taken by the Commissioner of Labour, Madras, regarding the representation made recently to provide them with suitable house-sites in place of the present one with a view to shift them from the dangerous and unhealthy site and if so, with what results?

A.—(a) & (b) The Government have no information.

(c) The matter is receiving the attention of the Commissioner of Labour.

Mr. R. VEERIAN :—“ With reference to the answer to clause (c), may I know whether the Commissioner of Labour has already taken any steps as the whole of the Adi-Dravida locality is surrounded by water? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ As far as I know he is attending to the matter. We have not received any report.”

Emigration.

Remedies to the hardships suffered by emigrants to the Malay States.

* 1346 Q.—Mr. R. VEERIAN : With reference to question No. 496, answered at the meeting dated 28th October 1925, will the hon. the Home Member be pleased to state—

(a) what steps have been taken by the Government regarding ‘ certain instances ’, referred to in the answer, of the hardships suffered by emigrants proceeding to the Malay States; and

(b) who are the persons that see to the convenience of the emigrants in ships conveying them to the Malay States and Ceylon?

A.—(a) The attention of the hon. Member is invited to the notification of the Government of India, No. 555 S., dated 13th June 1925, republished on pages 1122–1123 of Part I of the *Fort St. George Gazette*, dated 30th June 1925, and to the Resolution of that Government, dated 25th July 1925, republished on pages 1403–1404 of the *Fort St. George Gazette*, dated 11th August 1925, which contain the revised rules regarding latrine accommodation, ventilation, space allowance, water-supply, etc., on native passenger ships, which have been published for criticism or suggestions. The subject is under correspondence with the Government of India.

(b) Two Federated Malay States Government Inspectors of Emigrants, a qualified medical officer known as ship’s doctor, a compounder and a nurse are carried in each ship to Malaya and they look after the convenience and comfort of the emigrants. No such arrangements on ships carrying emigrants to Ceylon are necessary, as the journey is only of two hours’ duration.

Mr. S. SATYAMURTI :—“ I am asking one question only, in regard to the last but third line in answer to clause (a). May I know what they mean by ‘ native passenger ships ’? Natives of which country? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I am sorry I do not know what it is. I shall look into the matter.”

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Mr. S. SATYAMURTI :—“ May I know whether ‘ native ’ is intended to represent ‘ natives ’ of this country ? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I understand it is so. I regret the mistake.”

Forests.

Memorial regarding forest timber ex'raction in Papanasam forest.

* 1347 Q.—Mr. V. C. VELLINGIRI GOUNDER : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that a monster memorial was sent from the people of Shermadevi Revenue division (Tinnevely district) regarding forest timber extraction work in Papanasam forest ;

(b) if so, what steps have been taken on the same, and whether the memorialists have been informed of the same ; and

(c) what the nature of work now undertaken and proposed to be taken for the next year is in the above forest ?

A.—(a) Yes.

(b) A copy of the Proceedings of the Chief Conservator of Forests, Mis. No 14, dated 19th January 1922, which were communicated to the memorialists is appended.*

(c) Preliminary investigation which includes enumeration, survey, preparation of estimates, etc., is now in progress. It is hoped that this will be completed next year.

Finance.

Distribution of the remission from Provincial contribution among various departments.

* 1348 Q.—Mr. P. C. VENKATAPATI RAJU : Will the hon. the Member for Finance be pleased to place on the Council table a statement showing

(a) how the amount remitted this year by the Indian Government from out of Provincial contribution has been utilized ; and

(b) how much of it was given to the various Transferred departments ?

A.—The net increase in the Budget Estimate Revenue for 1925-26 over the Revised Estimate for 1924-25 was 7·37 lakhs—Statement I.^b

The Revised Estimate for 1924-25 showed a deficit of 41·87 lakhs or net 34·50 lakhs.

It is not possible to allocate this amount between the Reserved and the Transferred departments. Deducting this sum from the remission of 126·02 lakhs, there is still left a sum of 91·52 lakhs and the distribution of this sum between the Reserved and the Transferred departments is as follows.—

	Reserved.	Transferred.	Total.
	LAKHS.	LAKHS.	LAKHS.

(1) Increased expenditure in 1925-26 (Budget) over 1924-25 (Revised estimate) as shown in the Civil Budget Estimate for 1925-26...	18·63	43·31	61·94
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* Printed as Appendix II on pages 370-371 infra. b Printed as Appendix III on page 372 infra.

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	Reserved.	Transferred.	Total.
	LAKHS.	LAKHS.	LAKHS.
(2) Amount placed at the disposal of the hon. Ministers for expenditure on schemes relating to Transferred departments	27·32	27·32
(3) Further demands which were postponed by the Legislative Council on 30th March 1925 and which were subsequently voted by the Council or authorized by His Excellency the Governor .	2·11	·08	2·19
(4) Undistributed balance ...	...	...	·07
Total ...	20·74	70·71	91·52

2. Details of the distribution of the sum of 43·31 lakhs are given in Statement II.^a Details of the distribution of the sum of 27·32 lakhs have been given in the answer to question No. 1150.

MR. P. C. VENKATAPATI RAJU :—" Does the hon. Member for Finance think that it is in accordance with the stipulation laid at the time of the remission by the Assembly, I mean this expenditure? Was any stipulation laid down by the Assembly at the time of making this remission in the provincial contribution? "

The hon. Mr. T. E. MOIR :—" I am not aware that the Assembly is empowered to lay down any stipulation or restriction on the powers of this House "

MR. P. C. VENKATAPATI RAJU :—" Or the Government of India? "

The hon. Mr. T. E. MOIR :—" The Government of India did not lay down any restriction or stipulation."

MR. S. SATYAMURTI :—" May I ask the hon. the Finance Member, whether he is not aware of a resolution passed by the Assembly and also agreed to by the Council of State, without any opposition from the Government of India and I think practically unanimously, that the bulk of the remitted portion of the contribution should be devoted to expenditure under transferred heads? "

The hon. Mr. T. E. MOIR :—" The statement placed on the table would show that the bulk of the expenditure has been on the transferred side."

Public Service.

Memorials from low-paid Government servants for increase of pay.

* 1349 Q.—MR. P. C. VENKATAPATI RAJU : Will the hon. the Member for Finance be pleased to state—

(a) whether any memorials from low-paid Government servants were received praying for increase of their pay ;

^a Printed as Appendix III on page 372 infra.

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(b) if so, from whom ; and

(c) whether the Government propose to enhance their pay in any of those cases ?

A.—(a) Yes.

(b) Memorials have been received from various classes of non-gazetted subordinates and menials.

(c) The Government did not see their way to enhance their pay.

Mr. P. C. VENKATAPATI RAJU :—“ Will the hon. Member be pleased to state whether it is on account of its being unreasonable or on account of financial grounds that they did not see their way to enhance their pay ? ”

The hon. Mr. T. E. MOIR :—“ On both grounds.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ May I know whether it is not a fact that Government have in some cases memorials from the transferred departments under their consideration and whether the Government is not considering the question of increment of pay in any department ? ”

The hon. Mr. T. E. MOIR :—“ I do not know what is meant exactly by considering.”

Mr. P. C. VENKATAPATI RAJU :—“ Is there any possibility of finding a provision in the budget ? ”

The hon. Mr. T. E. MOIR :—“ Does the hon. Member Mr. Venkataramana Ayyangar mean requests contained in memorials from the different classes of Government servants for a revision of their pay ? If so he is correct in his assumptions. Government have a number of memorials before them.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Only one word more. Are the Government considering those memorials ? ”

The hon. Mr. T. E. MOIR :—“ Government consider all memorials that are placed before them.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Then this thing that the Government did not see their way to enhance their pay is subject to the result of such considerations. The answer is in the past tense. That does not mean that in the case of those memorials the results may also be favourable to all those departments.”

The hon. Mr. T. E. MOIR :—“ I am quite unable to say what the result may be until a decision is come to.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ This does not rule out the possibility of increments in the departments. I suppose it leaves room in cases where they may see their way.”

The hon. Mr. T. E. MOIR :—“ The hon. Member must draw his own inference, Sir.”

Mr. R. SRINIVASA AYYANGAR :—“ With respect to some of the clerks is the Medical department, is it not a fact that the Finance Committee had recommended the increment of their pay ? ”

The hon. Mr. T. E. MOIR :—“ If the hon. Member will give notice of his question I will let him know after verifying the facts.”

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Mr. R. SRINIVASA AYYANGAR :—" I would like to draw his attention that yesterday or the day before a tabular statement was placed here which gives an idea of the recommendations of the Finance Committee."

The hon. the PRESIDENT :—" Then the hon. Member has the information that he wants."

Mr. R. SRINIVASA AYYANGAR :—" The hon. Member is not even admitting this."

The hon. Mr. T. E. MOIR :—" The hon. Member may take such a printed statement as being more likely to be accurate and correct than my memory."

Mr. R. SRINIVASA AYYANGAR :—" I want to know whether the present statement which is a later statement is likely to override the former statement."

The hon. Mr. T. E. MOIR :—" I do not know what statement the hon. Member is referring to. It is not before me. He may take it that if it is a record of the proceedings of the Finance Committee, it is a correct statement."

Local Boards and Municipal Councils.

Provision of road facilities for the ryots of some villages in Wallajah taluk.

* 1350 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Local Self-Government be pleased to state —

(a) whether the Government are aware that the ryots of Perumantungal, Ayaramangalam, Ernatham, Vadakkumedu, Peuaiyur villages situated in the Timiri firka of Wallajah taluk, in the district of North Arcot, have been suffering from want of a road leading to the main road from Arcot to Arni;

(b) whether the ryots of the village have been for over two years petitioning to the district as well as the taluk boards for the provision of such road facilities;

(c) whether the ryots again sent a memorial to the North Arcot District Board and to the Taluk Board concerned on 7th November 1925;

(d) whether the ryots of these villages are at present unable to transport their produce to the markets and to receive supplies from outside for want of road facilities; and

(e) whether the Government propose to construct the road so badly needed?

A.—(a) No.

(b), (c) & (d) The Government have no information.

(e) No.

11-30
a.m.

Mr. T. ADINARAYANA CHETTIYAR :—" With reference to clauses (b), (c) and (d) of this question, the Government say that they have no information. When I have given even the date of the memorial, may I know how the Government can say that they have no information?"

The hon. the RAJA OF PANAGAL :—" Sir, no such memorial seems to have been received in the Office."

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Mr. T. ADINARAYANA CHETTIYAR :—"The district board has received the memorial. The taluk board has received the memorial. That being so, how can the Government say that they have no information?"

The hon. the RAJA OF PANAGAL :—"The district board might have received the memorial, but the Government cannot undertake to say that the district board has or has not had the memorial."

Mr. T. ADINARAYANA CHETTIYAR :—"Owing to the fact that these villagers are suffering so much for want of good roads, will the Government please call for the information and give them redress?"

The hon. the RAJA OF PANAGAL :—"The answer is in the negative. Maintenance of village roads is a matter entirely within the discretion of the local body concerned."

Construction of bridges over the drainage crossings in the Mopidevi-Masulipatam road.

* 1351 Q.—Mr. S. R. Y. ANKINEDU PRASAD. With reference to the question No. 1300 put to him and the answer given to it at the meeting of the Legislative Council held on 3rd December 1924 regarding the construction of bridges over the drainage crossings in the Mopidevi-Masulipatam road, will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether any further steps have been taken in this direction; and
(b) whether Government will be pleased to publish with details the allotments of money made during this year by the Government as well as by the Kistna District Board for the upkeeping of the Mopidevi-Masulipatam road as well as for constructing bridges over the drainage crossings in the said road?

A.—(a) & (b) The Government have no further information. It has been called for.

Unsatisfactory condition of rural roads in Divi taluk.

* 1352 Q.—Mr. S. R. Y. ANKINEDU PRASAD: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the very bad condition of the rural roads in the Divi taluk, Kistna district, has been brought to his notice either by the taluk board or by the district board;

(b) whether any sum has been allotted for the construction of rural roads in the Divi taluk out of the special grant for rural communications sanctioned by the Government this year; and

(c) if not, the reasons as to why no grant has been sanctioned for the construction or maintenance of the rural roads mentioned above?

A.—(a) No.

(b) & (c) The Government have sanctioned in the current year a grant of Rs. 55,000 to the Kistna District Board for village roads subject to the condition that the local boards in the district contribute as much. The distribution of this grant among the local boards in the district is left to the District Board.

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Mr. A. RANGANATHA MUDALIYAR :—" May I know the number of the local boards in the district of Kistna which are expected to contribute an amount equivalent to the grant ? "

The hon. the RAJA OF PANAGAL :—" Sir, I believe almost all of them have accepted the offer. But if the hon. Member wants the definite information, he can have it after notice."

Mr. A. RANGANATHA MUDALIYAR :—" I do not want any other detail than the number of taluk boards in that district."

The hon. the PRESIDENT :—" The hon. Minister said 'almost all'. Does the hon. Member want the exact number ? "

Mr. A. RANGANATHA MUDALIYAR :—" The number of taluk boards."

The hon. the RAJA OF PANAGAL :—" If the hon. Member wants to know the number of taluk boards in that district I shall give the information on notice."

Construction of a roadway over the Pennar anicut at Nellore.

* 1353 Q.—Mr. B. RAMACHANDRA REDDI : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government have approved the estimates for the construction of a roadway over the Pennar anicut at Nellore, and whether the estimated amount has been sanctioned ; and

(b) if the answer to the above is in the affirmative, when the work will be undertaken ?

A.—(a) No.

(b) Does not arise.

Mr. B. RAMACHANDRA REDDI.—" May I know if there are any proposals before the Government ? "

The hon. the RAJA OF PANAGAL :—" There have been proposals, but they have not been accepted for want of funds."

Resolutions of Tuticorin Municipality as to ownership of Padrado Church compound land.

* 1354 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether he will lay on the Council Table the several Resolutions recorded by the Municipality of Tuticorin as to the ownership of the compound land of the Portuguese Padrado Church (of our Lady of Snow) at Tuticorin in the diocese of Mylapore, with the note or notes (if any) of dissent recorded by Rao Bahadur Cruz Fernandez, M.L.C., against the view of the majority of the municipal council ;

(b) what the views were of the Collector of the District and Government, and the grounds on which they are based ;

(c) what action Government have finally taken in the matter ; and

(d) if they have interfered with the action of the municipality, on whose application or reference they have done so, and for what reasons ?

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4.—(a) Copies of the Tuticorin Municipal Council's resolutions, dated 7th December 1923, and 3rd April 1925, and the dissenting minutes by Rao Bahadur Cruz Fernandez are laid on the table.*

(b) The Collector recommended that the Government need not interfere in the matter as in his opinion failure to take action did not imply any waiving of Government rights. The Government considered that it was not the function of the municipal council to settle the rights of the Government and a private institution in regard to the land in question.

(c) They cancelled the first resolution and recorded the second resolution with reference to their orders on the first.

(d) The resolution was cancelled as it was in excess of the powers conferred on the Council by law. The matter came to the notice of Government through certain petitions.

Mr. J. A. SALDANHA :—" May I ask the hon. the Chief Minister what orders were passed on the letter from Rao Bahadur Cruz Fernandez, dated 5th April 1925 ? "

The hon. the RAJA OF PANAGAL :—" The action taken is stated in the printed answer."

Mr. J. A. SALDANHA :—" Will the hon. the Minister for Local Self-Government be pleased to state whether, after this order was passed Mr. Fernandez applied to the Local Self-Government Department in October 1925 in his capacity as chairman without the authority of the municipal council ? "

The hon. the RAJA OF PANAGAL :—" I should like to have notice of the question."

Mr. J. A. SALDANHA :—" I can give a certified copy of his letter obtained from the Municipal Council. On a reference made by Mr. Fernandez as chairman without consulting the municipal council the Government passed the order informing the chairman that the streets should be treated as public until the contrary is proved in spite of the resolution of the municipal council passed by a majority of 12 to 1."

The hon. the RAJA OF PANAGAL :—" The resolution of the council was in excess of its powers. Therefore the Government interfered and cancelled the resolution."

Mr. J. A. SALDANHA :—" On what authority did the chairman independently of the municipal council make a reference to the Government on this point ? "

The hon. the RAJA OF PANAGAL :—" I think even in his capacity as a rate-payer he can make that reference."

Nomination of Rao Bahadur O. Thanikachalam Chettiyar to the Madras Corporation.

* 1355 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the reasons why the Government nominated Rao Bahadur O. Thanikachalam Chettiyar, M.L.C., to the Madras Corporation ;

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(b) whether he was defeated at the recent municipal elections in the City ; and

(c) whether one of the reasons for nominating him was that he belongs to the Justice party ?

A.—(a) & (c) The Government consider it generally desirable that an out-going President should continue on the Council in order that the knowledge and experience gained by him during his term of office may still be available to that body. In the nomination of Rao Bahadur O. Thanikachalam Chettiyar they have been guided entirely by the above considerations.

(b) Yes.

Mr. S. SATYAMURTI :—“ With reference to clauses (a) and (c) of my question, may I first ask for a specific answer to clause (c) thereof ? ”

The hon. the RAJA OF PANAGAL : “ No.”

Mr. S. SATYAMURTI :—“ Then, with reference to the answer on the order paper, may I ask the hon. Minister to be good enough to say whether he considers it as a general policy to be followed by himself and his successors that, wherever outgoing presidents of municipal councils are defeated in the elections, they ought to be nominated or, whether, as stated in the statement made in regard to this matter some time ago, that it is only in cases where the outgoing presidents who are defeated but apply to be nominated, they will be nominated ? ”

The hon. the RAJA OF PANAGAL :—“ If the administration of the retiring president or chairman is meritorious and if he expresses his intention to serve the local body again, the Government consider his claims favourably.”

Mr. S. SATYAMURTI :—“ In view of that answer, may I take it therefore that the printed answer is modified to this extent : the Government consider it generally desirable that an outgoing president whose services have been good according to the opinion of the Minister should continue on the council ? Is that the answer, Sir ? ”

The hon. the RAJA OF PANAGAL :—“ The answer as printed implies what I have stated.”

Mr. S. SATYAMURTI :—“ I am thankful for that answer. In view of that statement, Sir, may I ask the hon. Minister to be good enough to say what are the tests by which the Government came to the conclusion that the administration of an outgoing president who was not able even to retain the confidence of his constituency, admittedly because he was not returned, was a very good one ; in other words what are the tests by which his very valuable services as President are assessed by the Government in nominating him ? ”

The hon. the RAJA OF PANAGAL :—“ I do not think this question really arises from the answer I have given.”

Mr. S. SATYAMURTI :—“ On a point of order, Sir. I have submitted this before to you. It seems to me that it is certainly not consistent with the dignity and the courtesy due to you and to this House that Members of Government should say that any question does not arise. It is perfectly

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open to them to submit to you that any question does not arise, but if they simply ride off like this, they can shut out all questions saying that they do not arise."

The hon. the RAJA OF PANAGAL:—"I am very sorry that the hon. Member for the University mistakes me. I only said 'I think'; that means that I make the submission to the Chair."

Mr. S. SATYAMURTI:—"If that is so, Sir, I submit it arises and I will submit how. The hon. Minister said that the Government considered it desirable to appoint an out-going president whose administration, he added in his oral answer, was excellent or good according to the opinion of the Government. I am asking as a supplementary question to that, what are the tests by which the administration of an out-going president—an administration which has not evidently been very good in the eyes of his constituency because they refused to return him—is considered good by the Government. I can understand his asking for notice or refusing to answer. But he cannot say that that question does not arise."

The hon. the RAJA OF PANAGAL:—"Sir, the Government are expected to have an idea as to how the Corporation is being administered. Besides the administration reports are received by the Government and reviewed by them. They have opportunities to know as to how local bodies are administered by their chairmen or presidents."

Mr. S. SATYAMURTI:—"May I know when the administration report stating the achievements of my hon. Friend Mr. Thanikachalam Chettiyar as president of the Madras Corporation was received by the Government, when they considered it, and what are the facts and figures with regard to schools, public health, etc., which enable them to come to the conclusion that that the administration has been supremely good and therefore he ought to be nominated?"

The hon. the RAJA OF PANAGAL:—"It is true, Sir, that the Government generally form their impressions from the reports submitted to them; but that does not mean that that is the only source and the exclusive source from which the Government could know how the administration is carried on."

Mr. S. SATYAMURTI:—"I am thankful for this further information. Therefore, the administration reports are not the only source of information. May I know in regard to Mr. Thanikachalam Chettiyar's nomination, apart from the administration report, what are the other sources of information which convinced my hon. Friend, the Minister, that Mr. Thanikachalam Chettiyar's administration of the Madras Corporation was excellent and therefore he deserved to be nominated?"

The hon. the RAJA OF PANAGAL:—"Newspaper accounts of particular acts of particular chairmen or presidents are one of the sources. The other sources are these: the officers responsible for the administration of medical relief and other departments inspect institutions administered by local bodies and communicate to the Government their impressions."

Mr. S. SATYAMURTI:—"May I know which newspapers in Madras commented on my hon. Friend Mr. Thanikachalam Chettiyar's administration and said that it was so good that he ought to be nominated? My idea is that all newspapers in Madras, with perhaps one exception, condemned the

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nomination of a defeated candidate at the election. What are the reports of the Surgeon-General or the Director of Public Instruction or other heads of departments which say that Mr. Thanikachalam Chettiyar transformed Madras into a Paradise? May I have reference to the newspapers or reports of those heads of departments?"

The hon. the RAJA OF PANAGAL :—" I will be glad to furnish the reference if the hon. Member gives notice of the question."

Mr. R. SRINIVASA AYYANGAR :—" May I ask the hon. Minister to tell us whether if a candidate defeated at the election is nominated on the score of his willingness to serve it will not have the effect of making him avoid the election, and, if so, whether it is a desirable state of things? "

The hon. the RAJA OF PANAGAL :—" It is a matter of opinion "

Rao Bahadur C. NATFSA MUDALIYAR :—" Are not all the newspapers in Madras in the hands of a particular community? " (Laughter.)

The hon. the PRESIDENT :—" That question does not arise."

Mr. C. RAMALINGA REDDI :—" May I ask the hon. the Minister whether the consideration contained in clauses (a) and (c) of the answer does not pertain to non-party presidents who are nominated and who do not get in by way of election as a general rule? "

The hon. the RAJA OF PANAGAL :—" Sir, I do not think so."

Mr. C. RAMALINGA REDDI :—" Does my hon. Friend consider it fair to the electorate to nominate a person who is a party man after he has been defeated at an election, and how does he propose to reconcile this with the respect for democracy which is the cry of the Justice party? "

The hon. the RAJA OF PANAGAL :—" Most of the people are members of this party or that party and when we nominate any of them we do so not because they happen to belong to this party or that party but because they deserve to be nominated."

Mr. C. RAMALINGA REDDI :—" My point has been misunderstood. I do not want that a defeated candidate should be nominated no matter to what party he belongs. So, that answer does not meet the question I raised. The point I wish him to consider and know his views about is this: whether considering that nowadays party feeling is prevailing and candidates are standing as party men, he considers it fair to nominate any man who has been defeated at an election to a position of this kind after the verdict of the people has been given? "

The hon. the RAJA OF PANAGAL :—" I do not think there is any technical objection to a defeated candidate being nominated. In fact, defeated candidates have been nominated in this presidency and also in other presidencies. That being so, it does not follow that a candidate defeated belonging to the particular party should not be nominated."

Mr. C. RAMALINGA REDDI :—" My submission to my hon. Friend is this: admitting that it has been a fact that defeated candidates are being nominated, whether he considers it good and whether or not in view of the fact that parties are being formed it would be better for Government to leave the composition as far as possible to the electorate and nominate no candidate who has been rejected by the electorate? "

The hon. the RAJA OF PANAGAL :—" That is a matter of opinion."

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Mr. S. SATYAMURTI :—“ May I ask my hon. Friend the Chief Minister whether his attention has been drawn to the statement of Sir Alexander Muddiman, the Home Member of the Government of India, to a question put by my friend Mr. Rangaswami Ayyangar, that it is not the policy of the Government of India to nominate defeated candidates to elected chambers and that they have no intention of extending it to local bodies or municipal corporations or municipal councils? ”

The hon. the RAJA OF PANAGAL :—“ No, but I shall refer to the Proceedings of the Assembly.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I ask the hon. Minister whether one of the circulars issued by the Government does not say that defeated candidates should not be nominated as councillors? ”

The hon. the RAJA OF PANAGAL :—“ The circular does not say that defeated candidates should not be nominated. It only says that as far as possible they should not be nominated.”

Mr. A. CHIDAMBARA NADAR :—“ May I ask whether it is the policy of the Government to appoint out-going members as presidents of local bodies? ”

The hon. the RAJA OF PANAGAL :—“ Yes, in many cases they have been appointed.”

Mr. A. CHIDAMBARA NADAR :—“ May I have some instances? ”

The hon. the RAJA OF PANAGAL :—“ If the hon. Member gives notice of that question, I shall be prepared to answer it ”

The hon. the PRESIDENT :—“ Before any further questions are put, may I remind hon. Members that they have only a quarter of an hour before them and questions similar to these have already been put and answered on the floor of this House? ”

Mr. S. SATYAMURTI :—“ May I ask my hon. Friend the Chief Minister whether he now remembers that the latest administration report of the Municipal Corporation points to the fact that the collections have been deplorably low, that the roads are bad and that the administration was not excellent? All these point to the fact that the administration was of a very low standard. May I ask the hon. Chief Minister how he reconciles these statements with his statement that Mr. Thanikachalam Chettiyar was nominated because of his excellent administration? ”

The hon. the RAJA OF PANAGAL :—“ The report which the hon. Member for the University refers to has been received subsequent to the nomination. I told the House that Government form their opinion not only from the reports but also from other resources. One of the sources is the report of the speeches that were made on the occasion of Mr. Thanikachalam Chettiyar's retirement from the presidency. On that occasion all the members expressed their high opinion of the administration of the retiring president.”

Mr. SAMI VENKATACHALAM CHETTIYAR :—“ May I know if instances of nominating defeated or out-going presidents have occurred only in the administration of the hon. the Raja of Panagal? ”

The hon. the RAJA OF PANAGAL :—“ I have already referred to other instances occurring not only in this province but also elsewhere.”

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Representatives of depressed classes on the taluk boards of South Kanara.

* 1356 Q.—MR. R. VEERIAN : With reference to question No. 513 regarding representation of backward classes in the taluk boards of South Kanara answered on 28th October 1925, will the hon. the Minister for Local Self-Government be pleased to state whether the members of the depressed classes living within the jurisdictions of Mangalore, Karkal, Uppinangadi, Udipi and Coondapoor taluk boards submitted to the recommending and appointing authorities that they were not able to select from among them suitable candidates for appointments to the above-mentioned taluk boards ?

A.—The Government have no information on the point.

MR. R. VEERIAN :—“ With reference to the answer given to this question, may I know whether any attempt has been made to call for the information ? ”

The hon. the RAJA OF PANAGAL :—“ No.”

MR. R. VEERIAN :—“ May I request the hon. Minister to call for the information ? ”

The hon. the RAJA OF PANAGAL :—“ I do not think any purpose will be served by calling for the information.”

MR. J. A. SALDANHA :—“ Some representations were sent by the members of the depressed classes to the presidents of district boards and they were entirely neglected. For this reason will the hon. Minister be pleased to call for the information and tell us on what grounds their representations were neglected ? ”

The hon. the RAJA OF PANAGAL :—“ I have already answered that question.”

MR. R. VEERIAN :—“ May I know whether the hon. Minister considers this as such a trivial matter as not to call for the information and declare that he did not find suitable Adi-Dravida candidates and that therefore he nominated other candidates ? ”

The hon. the RAJA OF PANAGAL :—“ Yes.”

MR. F. NOYCE :—“ May I point out that the information which the hon. Member asks for is whether the members of the depressed classes living in certain taluks of South Kanara submitted to the appointing authority that they were not able to select suitable candidates ? It is hardly likely that any community would admit that they were unable to select representatives. Therefore it is not worth while to call for the information.”

MR. J. A. SALDANHA :—“ Our information is that certain representations were made by members of the depressed classes in a particular taluk that they had suitable candidates, and in spite of that the president of the district board nominated candidates from other communities. I want to know whether this information is correct.”

Nomination of an Adi-Dravida to the Cuddalore Taluk Board.

* 1357 Q.—MR. R. VEERIAN : With reference to question No. 516 regarding Adi-Dravida representatives in the taluk boards of South Arcot answered at the meeting dated 28th October 1925, will the hon. the Minister for Local Self-Government be pleased to state by whom representations were

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not received for appointing an Adi-Dravida member to the Cuddalore Taluk Board : by the Government, or by the Commissioner of Labour, or by the President, South Arcot District Board, Cuddalore, or by the District Collector, Cuddalore ?

A.—By the President, District Board, South Arcot, who is the appointing authority.

Removal or burial of dead animals.

* 1358 Q.—**MR. R. VEERIAN** Will the hon. the Minister for Local Self-Government be pleased to state—

(a) how many municipalities are auctioning their bullocks which have died of dangerous kinds of diseases or otherwise to their scavengers ;

(b) whether there is any Government Order regarding the removal or burial of dead animals ; and

(c) if so, whether the Government will be pleased to lay a copy of the Government Order on the table of this House ?

A.—(a) The Government have no information.

(b) & (c) The Government have issued no orders on the subject.

MR. R. VEERIAN :—“ The answer given to clauses (b) and (c) is ‘ the Government have issued no orders on the subject ’ May I know whether they have issued no orders in the year 1926, 1925, 1924 or 1923 ? ”

The hon. the **RAJA OF PANAGAL** :—“ I should like to have notice.”

MR. R. VEERIAN :—“ If I quote the Government Order most probably issued in 1922 or so, may I know whether the hon. the Minister for Local Self-Government will be kind enough to look into the subject ? ”

The hon. the **RAJA OF PANAGAL** :—“ Yes ”

Public Health.

Vaccination inspector in Ecnakudi village, Mannargudi taluk.

* 1359 Q.—**MR. A. CHIDAMBARA NADAR**. Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that certain people at Ecnakudi village in Mannargudi taluk were asked to produce their children before the inspector of vaccination at a place three miles distant from the village ;

(b) whether it is a fact that those people have been summoned by the Sub-Magistrate to appear before him for disobeying the orders of the vaccination inspector ; and

(c) whether it is a fact that the path through which the people had to take their children was crossed by rivers and channels ?

A.—The Government have no information.

MR. A. CHIDAMBARA NADAR :—“ With reference to the answer given to this question, what I should like to point out is that the people concerned have been summoned to appear before the Magistrate. It seems to me that under the circumstances it is quite necessary that the Government should call for the information.”

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The hon. the RAJA OF PANAGAL :—" I think the matter is one which concerns the local board concerned. I do not think that any purpose will be served by calling for the information."

Mr. S. MUTTAYYA MUDALIYAR :—" It is very easy to answer that this is a matter which concerns the local body concerned. Here is a Ministry for Local Self-Government which is supposed to control the local bodies and find out whether they have done their duty properly or neglected it. Our information is that they have neglected their duty. Does the hon. Minister mean to say 'although the local boards neglect their duties, I will shut my eyes and let the local bodies concerned enquire into the matter'. Is it the answer worthy of a Minister occupying the Government benches?"

The hon. the RAJA OF PANAGAL :—" Sir, there has been no information on the subject. It is unnecessary to interfere with the local bodies' exercise of discretion."

Mr. S. MUTTAYYA MUDALIYAR :—" Here is the information given by an hon. Member that the local bodies are not acting properly. I ask the Government whether that information is correct. If Government say that that is not the information they want, let them specify what other information they want. If the hon. Minister wants any other information, I shall be prepared to supply him."

Mr. J. A. SALDANHA :—" May I know when hon. Members of this Council come to know of certain defects in the administration of the local boards and when those defects are brought to the notice of the hon. the Chief Minister, and he is asked to verify that point by calling for the information, whether the hon. the Chief Minister will persist, as a matter of policy, in saying that it is a matter for the local bodies concerned."

The hon. the RAJA OF PANAGAL :—" The Government will not be justified in interfering with the administration of the local boards unless such interference is absolutely necessary."

Mr. S. MUTTAYYA MUDALIYAR :—" My information is that certain people at Ecuakudi village in Mannargudi taluk were asked to produce their children before the inspector of vaccination at a place three miles distant from the village. Is this not a serious matter especially when their parents were being prosecuted for not carrying their children to that place?"

The hon. the RAJA OF PANAGAL :—" Yes. They must bring the matter to the notice of the local body concerned."

Mr. S. MUTTAYYA MUDALIYAR :—" Is not putting of question and asking for information an effective way of agitation?"

The hon. the RAJA OF PANAGAL :—" The remedy is not in the hands of the Government, but it is in the hands of the local body."

Sriman SASIBHUSHAN RATH Mahasayo :—" Are inspectors of vaccination under the direct control of local bodies?"

Mr. J. A. SALDANHA :—" These inspectors of vaccination are under the direct control of Director of Health."

Mr. S. MUTTAYYA MUDALIYAR :—" May I know whether the Health Officers are not paid by the Government?"

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Religious and Charitable Endowments.

Suit on the validity of the Hindu Religious Endowments Act.

* 1360 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government were made a party by the Mahant of Tirupati in his suit in the High Court contesting the validity of the Madras Hindu Religious Endowments Act ;

(b) if so, whether the Government have taken legal opinion as to whether they are a necessary party to the suit and if not, why not ; and

(c) if not, whether the Government applied to be made a party to the suit and, if so, on whose advice and for what reasons ?

A.—(a) The answer is in the negative.

(b) The answer is in the affirmative.

(c) An application to this effect is being made as the suit raises several constitutional questions of grave importance and this makes it desirable that Government should be made a party to it.

Mr S. SATYAMURTI :—“ With references to the answer given in clause (b), may I ask the hon. the Minister to say what is the opinion of the legal advisers whom he consulted and who was his legal adviser, if he has no objection to say it ? ”

The hon. the RAJA OF PANAGAL :—“ The President of the Religious Endowments Board himself discussed the matter with the Advocate-General and myself when the decision was arrived at.”

Mr S. SATYAMURTI. —“ May I ask whether the Advocate-General—he is here—was consulted with regard to the suit filed by the Mahant of Tirupati and whether as a lawyer he was consulted as to whether the Government of Madras was a necessary party to that suit and, if so, what his opinion was ? ”

The hon. the RAJA OF PANAGAL :—“ I have already stated that there was a discussion on the subject with the President who is a retired Judge of the High Court and the Advocate-General and a decision was arrived at as the result of that discussion ”

Mr. S. SATYAMURTI :—“ I want a specific answer to a specific question. I ask the hon. the Minister to refresh his memory and tell me whether the hon. the Advocate-General was consulted as a lawyer to give his opinion on this matter. This is rather a technical and legal question, and I am using the word ‘ necessary party ’ to elicit the information as to whether the Government of Madras was considered a necessary party to this suit and what his opinion was ? ”

The hon. the RAJA OF PANAGAL. —“ I do not wish to say more than what I had said.”

Mr. S. SATYAMURTI :—“ May I take it therefore that the Government came to this decision as a result of a conference between the hon. the Minister and the President of the Hindu Religious Endowments Board, without any reference to any lawyer ? ”

The hon. the RAJA OF PANAGAL :—“ That statement is not correct. When the discussion took place the Advocate-General was present.”

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Mr. S. SATYAMURTI :—" May I ask whether the Advocate-General concurred in this decision ? "

The hon. the RAJA OF PANAGAL :—" That is my impression."

Mr. S. SATYAMURTI :—" May I ask what the Advocate-General's impression is ? "

The hon. the PRESIDENT :—" Is it open to the hon. Member to put a question to the Advocate-General ? "

Mr. S. SATYAMURTI :—" Under the Standing Orders, it is perfectly open to me to ask any Member of this House through the Chair to answer a question which is specifically within his knowledge. The Advocate-General is the best authority in this matter and he can tell us, unless he refuses to answer my question."

The hon. the PRESIDENT :—" It is only S.O. 11 (2) that will help the hon. Member."

12 noon. Mr. S. SATYAMURTI :—" Rule 8 of the Madras Legislative Council Rules says that—

' a question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the Member to whom it is addressed '

and in the definition clause, it is stated that ' Member ' means ' a Member of the Council. ' Mr. T. R. Venkatarama Sastri is a member of the Council, and I am asking him a question under rule 8 for the purpose of obtaining information on a matter of public concern within his special cognizance."

The hon. the PRESIDENT :—" The question may be addressed."

Mr. S. SATYAMURTI :—" Will the Advocate-General be pleased to state—I shall be glad to give him notice of this question if he wants it—whether he was consulted as a lawyer with regard to this specific question of the Government of Madras being a necessary party to the suit of the Mahant of Tirupati, whether he gave his opinion and, if so, what it was; and finally whether he concurred in the decision expressly, apart from the impression of the hon. Minister, that Government should apply for being made a party ? "

Mr. T. R. VENKATARAMA SASTRI (*Advocate-General*) :—" I am very sorry I must decline to answer this question. It will be a bad precedent for the Advocate-General to disclose his consultations and opinions."

Mr. S. SATYAMURTI :—" Is it not a matter for you, Mr. President, to intervene ? "

The hon. the PRESIDENT :—" If any hon. Member, for reasons of his own, refuses to answer a question I cannot interfere."

Sriman SASIBHUSHAN RATH Mahasayo :—" May I ask whether he was consulted as a lawyer ? "

Mr. S. SATYAMURTI :—" May I ask whether he was consulted ? "

Mr. T. R. VENKATARAMA SASTRI (*Advocate-General*) :—" I refuse to answer it."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether the application for being made a party has been made ? "

The hon. the RAJA OF PANAGAL :—" That is my information, Sir."

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Mr. S. MUTTAYYA MUDALIYAR.—“Is the application made in this suit alone or in all the suits?”

The hon. the RAJA OF PANAGAL :—“I think in three of the suits ; but I should like to have notice of the question ”

Cost of suits on the validity of the Hindu Religious Endowments Act.

* 1361 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of, and the persons by whom, suits have been filed contesting the validity of the Hindu Religious Endowments Act ;

(b) the amount of expenses already incurred by the Government in connexion with this matter ; and

(c) the approximate estimate of the expenses likely to be incurred by the Government in the future in this connexion ?

A.—(a) So far as the Government are aware, suits have been filed by the Mahant of Tirupati, the Pandarasannidhi of the Thiruvaduthurai math and the Pandarasannidhi of the Dharmapuram math

(b) Nil.

(c) No estimate can be framed.

Mr. S. SATYAMURTI :—“In view of the answers to the supplemental questions to the previous questions, may I ask whether the Government formed any estimate of the probable expenses of contesting the suits as a party, before they made up their minds to be made defendants?”

The hon. the RAJA OF PANAGAL :—“No, Sir, they have not formed any opinion as to the cost of the suit.”

Mr. C. V. VENKATARAMANA AYYANGAR.—“Have the Government estimated how much the Board has already spent towards the cost of the suit?”

The hon. the RAJA OF PANAGAL :—“Government have no information.”

Mr. J. A. SALDANHA :—“It is not a question of the Government forming an opinion, Sir. May I know whether the Government have estimated the cost of the suit to the Government?”

The hon. the RAJA OF PANAGAL :—“They have not made any estimate of it.”

Buildings.

Willingdon House, Ootacamund.

* 1362 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Education and the hon. the Member for Revenue be pleased to state—

(a) the reasons why Willingdon House, Ootacamund, is being kept up by the Government ;

(b) whether the working of this House during the year ending 30th June 1924 resulted in a net loss of Rs. 96-6-5 ; and

(c) if so, whether the Government propose to close this House, and if not, why not?

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A.—(a) It is maintained primarily for the convenience of Government officers visiting Ootacamund on duty owing to the shortage of accommodation there, especially in the season.

(b) Yes.

(c) The question will be considered.

Education.

Technical education in Government and private schools.

* 1363 Q.—Mr. P. K. S. A. ARUMUGA NADAR : Will the hon. the Minister for Education and the hon. the Minister for Development be pleased to state what steps have been taken to improve technical education in Government and private schools?

A.—The attention of the hon. Member is invited to the annual Public Instruction Report for 1924–25, so far as the Engineering College and Schools and the Institute of Commerce are concerned and to the latest annual report of the Director of Industries, which contain an account of the steps taken by the Government in the matters referred to.

Mr. A. CHIDAMBARA NADAR :—“ Sir, the answer refers only to technical institutions I want to know, Sir, the steps that have been taken in the educational institutions for the improvement of technical education ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Educational institutions also include technical institutions which carry on technical education as part of General Education .”

The hon. the PRESIDENT :—“ The time allotted for questions having expired we shall now proceed to the next item on the agenda.

Vernaculars as medium of instruction in schools.

* 1364 Q.—Mr. S. SATYAMURTI. Will the hon. the Minister for Education be pleased to state—

(a) the reasons why in the recent Government Order on the use of one of the languages of the country as the medium of instruction in the secondary schools, two limitations are imposed, with regard to the time to be allotted to teaching through English, and with regard to the necessity of a student, having received instructions in the mother tongue throughout the years of his school course before he is allowed to answer at the examination in his mother tongue ;

(b) the opinions of the Secondary Education Councils on this matter ; and

(c) whether the Government will take the opinions of these Councils in this matter and, if not, why not ?

A.—(a) The first of the two limitations referred to was suggested by the Secondary Education Re-organization Committee which was appointed by the Government in 1921 and its reasons are given in paragraph 7 of the Committee's report printed with G.O. No. 239, Law (Education), dated the 14th February 1923, which has been placed on the Editors' Table. Attention

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is also invited to paragraph 9 of the letter from the Director of Public Instruction printed with G.O. No. 1851, Law (Education), dated the 27th October 1925, which has been placed on the Council table. The second limitation is based upon a sound educational principle, viz., that a candidate for an examination in a particular subject should be examined in the same language as that in which he received instruction in that subject.

- (b) A synopsis of the opinions of the District Secondary Education Boards has already been placed on the Council table.
- (c) The Government do not consider it necessary to make any further reference to the boards.

Scholarships and concessions to students in the Government College, Coimbatore.

* 1365 Q.—MR. R. VEERIAN : Will the hon. the Minister for Education be pleased to state—

(a) how many Brahmans, Non-Brahman Caste Hindus, Muhammadans, Christians and depressed classes are now levied only half the rate of standard school-fees in the Government College, Coimbatore, in each form or standard in consideration of their poverty ;

(b) how many of them are getting scholarships in each form or standard in the Government College, Coimbatore ; and

(c) how many boys belonging to the depressed classes are now reading in the Government College, Coimbatore ?

A.—The information is contained in the statement* appended.

Withdrawal of grants to Vengalapuram Municipal elementary school, Tirupattur.

* 1366 Q.—MR. R. VEERIAN. With reference to question No. 534 answered at the meeting dated 28th October 1925, will the hon. the Minister for Education be pleased to state—

(a) whether there is any intention on the part of the Government to withdraw a portion of the grant from the Vengalapuram Municipal elementary school, Tirupattur, North Arcot district, for utterly denying admission to Adi-Dravida pupils therein ;

(b) the conditions on which Government grants are given to public and aided schools ;

(c) what the remedy is for the depressed classes when admissions are denied to them in public schools ; and

(d) how many Brahman teachers are employed in Vengalapuram Municipal elementary school, Tirupattur, North Arcot district ?

A.—(a) No subsidy is paid from Provincial funds for the maintenance of the Municipal Elementary School for boys at Vengalapuram.

(b) Grants and subsidies given to aided schools and schools under public management respectively are subject to the general condition that the schools are maintained efficiently and in

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accordance with the rules framed under the Madras Elementary Education Act, 1920, or those laid down in the Madras Educational Rules

- (c) Representations may, in the first instance, be made to the local body maintaining the school and, if still necessary, to the Director of Public Instruction and the Government.
- (d) The Government have no information.

Excise.

Sale of toddy in an unlicensed place near Pudupalayam.

* 1367 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that a toddy contractor has been recently selling toddy in an unlicensed place near Pudupalayam, in Tiruchengodu taluk, in the district of Salem;

(b) whether the said unlicensed toddy shop is a source of nuisance to the people who reside in or have to resort to the Gandhi Ashram in Pudupalayam; and

(c) what action, if any, Government have taken or propose to take to put a stop to this attitude on the part of the Abkari contractor?

A.—(a) & (b) The Government have no information.

(c) The question does not arise.

Foreign Liquor licences for 1926-27.

* 1368 Q.—Mr. B. OBALESAPPA: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government propose to reduce either F.L.-1, F.L.-1 (b) or F.L.-2 licences for the year 1926-27 in this Province, and if so, why;

(b) whether it is also a fact that the Government propose to enhance the fixed fee system on Foreign Liquor licences for 1926-27, and if so, on what basis;

(c) whether it is a fact that the Board of Revenue has called for the reports from the Collectors of the districts and the Assistant Commissioners of Excise in respect of the enhancement of fixed fees and also reduction of Foreign Liquor licences; and

(d) if so which Collectors are in favour of the enhancement of the fixed fees and who are in favour of the reduction of the Foreign Liquor licences?

A.—(a) The Government have no such proposal under their consideration.

(b) The Government have decided to enhance the licence fees in respect of F.L.-1 licences in the City of Madras only from Rs. 500 to Rs. 1,000 during 1926-27 in order that the fees may be more in proportion to the volume of business as compared with mufassal shops and to place a check on consumption.

(c) & (d) The Government have no information.

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Report of the Excise Advisory Committee.

* 1369 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether the Excise Advisory Committee has submitted its report on the excise policy of Government;

(b) when the Committee took up the question; how many meetings the Committee has held since taking up the questions of general policy and on what dates;

(c) whether the Government will be pleased to lay on the table the proceedings of the Committee, since they took up the questions of general policy;

(d) whether the Government have passed orders on the report of the Committee; and if so whether they will place the same on the table of this House;

(e) whether the Government will be pleased to lay on the table the report of the Committee; and

(f) when the hon. the Minister for Excise propose to place his decision on this report before this House for discussion?

A.—(a) Yes.

(b) The hon. Member is referred to paragraph 4 of the report of the Excise Advisory Committee.

(c) Proceedings of the meetings of the Committee, so far as they have been recorded, are placed on the table of the House.

(d) The Government have not yet passed orders on the report of the Committee.

(e) & (f) The report has already been placed on the table of the House.

The question of publishing the orders will be considered when orders are passed on the report.

Representatives of local bodies on the Excise Advisory Committees.

* 1370 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) the names and the number of local bodies which have refused to elect representatives to Excise Advisory Committees;

(b) the reasons why they have done so; and

(c) whether the Government propose to take any action thereon, and if not, why not?

A.—(a) The municipalities of Salem, Coimbatore and Vizagapatam and the Corporation of Madras did not send representatives to Excise Advisory Committees in 1924–25.

(b) The reason assigned was in respect of the Corporation of Madras that due weight was not given to its views and in respect of Coimbatore that its proposals were overruled.

The Government have no information why the municipalities of Salem and Vizagapatam did not send representatives.

(c) The Government do not propose to take any action—

(1) because the advice given in each case could not be acted upon, and

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- (2) because the whole question of the constitution and powers of Excise Advisory Committees will very shortly come up before them for consideration in connexion with the report of the Excise Advisory Committee.

Registration.

Location of the Sub-Registrar's office at Pudukkottah near Tuticorin.

* 1371 Q.—MR. P. K. S. A. ARUMUGA NADAR: Will the hon. the Minister for Education be pleased to state—

(a) whether the people of Iruvappapuram, Kumarapuram and Sayarpuram have to cross and re-cross a sandy uninhabited theri of about five miles to go to their Sub-Registrar's office which is situated at Pudukkottah near Tuticorin; and

(b) whether the Government have any intention of opening a new Sub-Registrar's office in a central place in the abovementioned two villages or of shifting to such a central place the Sub-Registrar's office at Pudukkottah?

A.—(a) Not necessarily, as there is besides the sandy route a road connecting the villages with Pudukkottah which is generally used by the public. No inconvenience is felt by the villagers. Even the theri referred to in the question is stated to cover only a distance of two and not five miles.

(b) No.

Agriculture.

Deputy and Assistant Directors in the Agricultural department.

* 1372 Q.—MR. A. CHIDAMBARA NADAR: Will the hon. the Minister for Development be pleased to state—

(a) the number of circles in the agricultural department under Deputy and Assistant Directors individually and under both the Deputy and Assistant Directors;

(b) how many of these circle officers are Indians;

(c) whether in the case of circles under both the Deputy and Assistant Directors, any separate function is exercised by the Assistant Director and whether he has got an office of his own;

(d) the object in having two gazetted officers more or less similar in rank in one circle; and

(e) the number of Assistant Directors who have been promoted to the Deputy Director's post till now?

A.—(a) Two and five respectively. There are two Assistant Directors in the VIII Circle, one of whom is on probation.

(b) All except the Officer in charge of the I Circle are Indians.

(c) The Assistant Directors are directly responsible for district and demonstration work, while Deputy Directors are responsible for the experimental and research work on the farms and exercise general supervision and control over the work of the whole circle. Where the headquarters of the Deputy and Assistant Directors are in the same locality, the Assistant Directors have not separate offices.

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- (d) The two officers are not similar in rank. The senior officers do the more important work of research and experiment and a single officer cannot, as a rule, perform all the duties in a circle.
- (e) Two permanently and one in an officiating capacity.

Officer in charge of Paddy Breeding station.

* 1373 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

- (a) whether a paddy specialist has recently been appointed ;
- (b) what his special qualifications for the post are ;
- (c) whether he was holding any place under any Government before his appointment and if so, what was the pay he was drawing ;
- (d) what are the terms of his appointment ;
- (e) whether he has been appointed permanently or temporarily ; and if temporarily, whether any agreement has been entered into with him ;
- (f) who was in charge of the Paddy-breeding station since the departure of Mr. Parnell and whether his work was found satisfactory or not ;
- (g) whether there is no officer in the Provincial service capable of being appointed as paddy specialist ; and
- (h) if the present appointment is made temporarily, what the Government have decided to do to make a permanent appointment and whether they are going to train any of the officers under Government for the post ?

A.—(a) Yes.

(b) & (c) Mr. R. O. Iliffe, the newly recruited officer, is an M.A. and a diplomate in agriculture who was Economic Botanist under the Ceylon Government from May 1921. In that capacity he proved himself a capable and thorough specialist in the production of pure line strains of paddy and has tested a considerable number of such pure lines. The Government have no information regarding his pay under the Ceylon Government.

(d) & (e) The officer has been recruited temporarily for a period of five years on a pay of Rs. 1,500—50—1,700. On the satisfactory conclusion of five years service, he will receive £600 as compensation for loss of pensionary rights in respect of service under the Government of Ceylon. But this compensation will not be payable if he is provided with any suitable pensionable appointment under this Government. He would also subscribe to a special provident fund, Government adding to it half-yearly a bonus at the rate of 75 per cent of his subscription for the half-year. An agreement has been entered into with him.

(f) The senior Assistant Economic Botanist, who was working under Mr. Parnell, was in charge. But the post of Economic Botanist which Mr. Parnell held has been kept vacant. His work has been satisfactory, but he requires further training and experience before he can be placed in permanent charge of Paddy specialist's duties.

(g) No.

(h) The Government propose to depute the Senior Assistant for training in plant genetics in England.

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Appointment of an assistant to the Superintendent, Paddy-breeding Farm, Coimbatore.

* 1374 Q.—RAO Bahadur T. A. RAMALINGA CHETTIYAR : Will the hon. the Minister for Development be pleased to state—

(a) how many assistants there are in the paddy-breeding farm at Coimbatore and how many of them are gazetted officers ;

(b) whether the Government have recently appointed an outsider as an assistant to the Superintendent ;

(c) if so, what his special qualifications are for the post ;

(d) whether he was in service anywhere before, and if so, what was his pay ;

(e) whether he is appointed permanently or temporarily, and if the latter, what are the terms of his appointment ; if the former, on what pay he is appointed ; and

(f) whether there were any reasons for appointing an outsider ?

A.—(a) There is no staff of assistants attached to the Paddy farm apart from that working under the Economic Botanist now designated Paddy Specialist. There are six non-gazetted assistants working under this officer. There are no gazetted assistants sanctioned for work at Coimbatore.

(b) No one has been appointed Assistant to the Superintendent of the Central Farm. The appointment recently made at the Research Institute is that of the Paddy Specialist

(c) to (e) The attention of the hon. Member is invited to the answer to clauses (b)---(e) of his question No. 1373.

(f) There was no one already in the department competent to fill the post

Proposals for agricultural development.

* 1375 Q.—RAO Bahadur T. A. RAMALINGA CHETTIYAR : Will the hon. the Minister for Development be pleased to state—

(a) whether he has formulated any new proposals for agricultural development ; and

(b) if he has, which of them will be provided for in the next year ?

A.—(a) Yes.

(b) Proposals for next year will in due course be placed on the Council table in connexion with the budget for 1926-27.

MR. T. ADINARAYANA CHETTIYAR :—“ Sir, before we proceed to the next item on the agenda may I know whether we will have an opportunity of putting supplementary questions to questions 1331 to 1337 which have been held over on account of the absence of the Government Member concerned ? ”

THE HON. THE PRESIDENT :—“ The House agreed to begin from the questions put to the hon. the Revenue Member ; and they should have seen to it that all the questions except those to be answered by the hon. the Law Member were answered some time before the hour expired. The House did not see its way to adjust itself to this contingency.”

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Mr. T. ADINARAYANA CHETTIYAR :—" Even now, the hon. the Law Member has not come in and so it was not our fault they were held over."

The hon. the PRESIDENT :—" If the House had completed the questions other than those put to the hon. the Law Member some time before the hour allotted for questions had expired, it would be justified in claiming what it claims now."

Mr. R. SRINIVASA AYYANGAR :—" Some of us were under the impression that these questions would be taken up after the arrival of the hon. the Law Member."

The hon. the PRESIDENT :—" Provided, of course, there was time."

Mr. R. SRINIVASA AYYANGAR :—" In view of the special circumstances of the case, will the hon. the President see his way to allow supplementary questions put to these questions to-morrow? "

The hon. the PRESIDENT :—" I am sorry I am unable to accede to the request of the hon. Member."

II

COMMUNICATIONS TO THE COUNCIL.

The Secretary laid on the table copies of the following Government Orders relating to authorization of expenditure by His Excellency the Governor under section 72-D (2) (b) of the Government of India Act :--

(1) G.O. Mis. No. 44 I., dated 19th January 1926.

„ No. 45 I. „ 20th „

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III

RESOLUTIONS ON THE REPORT OF THE EXCISE ADVISORY COMMITTEE- *cont.*

* The hon. Rao Bahadur Sir A. P. PATRO :—" Before concluding this debate, I would submit to the House the way in which Government have been advancing the cause of temperance. While Government are strenuously trying to carry on temperance reform, it is necessary to remember that Government alone or the State alone cannot carry on temperance or excise reform. The public should wholeheartedly co-operate with us in the work. Not spasmodic work, but a systematic investigation of the social and economic condition of the poor people and social work among such people who are addicted to drink will achieve the result. Abolition of the licit shops and raising of the price of liquor will not put an end to the drunkenness. The essential thing for us to do is to approach the problem with the spirit of a reformer, and unless we improve the social and economic condition of the people, we will not be able to achieve any substantial result that is so dear to all of us. As my hon. Friend Mr. Khalif-ul-Jah said we must approach the problem with spiritual fervour and try to change the hearts of the people. We must not concentrate our efforts on mere preaching of temperance occasionally but must honestly, sincerely and systematically take action to improve the moral and material condition of the people whose unhealthy surroundings, insufficient food and long hours of labour and depressing poverty drive them to the toddy shops. The root cause of the evil cannot be eradicated by mere abolition of

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the shops or the raising of the prices. The real desire of the poor people to drink must be eradicated by improving their moral and material condition. We must associate with them more freely and more intimately and by our concrete example show them that drink is not necessary for them. It is only by propaganda work of that kind that we will be able to achieve the result, and not by merely saying that we should eradicate that evil. Of those who have worked among the labourers in the cause of temperance there is one who will be acknowledged to be one of the foremost. Speaking at Coimbatore, Mr. Joshi made some statements which are worthy of repetition. I am sure also that hon. Members will agree with me that this kind of work is equally essential.

“World experience for a number of years is now making it clear that the evil can be uprooted only by the removal of the root causes that drive men to drink. Chief among the causes of the habit of drink existing among the working classes is over exertion, fatigue caused by long hours of labour, depressing atmosphere, unhealthy housing conditions and want of open air recreation. If these causes and the temptation of easily accessible liquor are got rid of, the problem is nearer solution. Although we may be able to point out a few instances of people weaned away from their habit by religious influence, still, considering the question as a whole, it may be safely asserted that money spent on the preaching of temperance will be found to have been wasted. Social workers must try to improve the working condition of the labourers quite as much as the Legislatures and the Governments try to remove the temptations. The evil of gambling is increasing in the country among the working classes. The working classes are more and more being injured by it. Therefore the drink problem is not merely one sided, namely that the State alone or the Government alone can do it and remove the evil. It requires the wholehearted co-operation of the public with the Government. If along with the measures Government are taking to reduce consumption and encourage temperance the public also co-operate in educating the drinking classes, in teaching them self-respect and above all in enabling them to live healthy lives in healthy surroundings, the work of temperance reform will not be in vain.

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p. m.

“Unless and until that kind of work also is carried on, it is not possible for the Government alone to effect the reform entirely. I may refer in this connexion, what has been stated by the hon. Member for the University, that as a congressman and as a social worker, this work was done by me in the Ganjam district for over five years. We have carried on this work not in a spirit of patronage nor in a spirit of forcing the people, but in spirit of service among the agricultural and working classes preaching to them not merely in a negative but also in a positive way, rousing their consciousness and their self-respect, making them feel that it is an evil, educating the women, and capturing their minds so that they may be a great force in the family and in the village to wean people away from drink. The work has to be carried on, not in a spirit of party politics nor in a spirit of arrogance, but in a spirit of humility and service and in a spirit of brotherhood, making the people feel that you are working to elevate their social condition. The solution of the problem lies in that way. No amount of legislation will improve matters. Social service is the real remedy in co-operation with the restrictive measures taken by the Government. I wish to emphasise the

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point because the Government consider it necessary that this kind of work should be carried on throughout the Presidency and that co-operation from the public is very necessary."

* Mr. R. SRINIVASA AYYANGAR :— " Mr President, Sir, I am sorry to say that yesterday I failed to catch your eye. I wish to say a few words on the main resolution moved by the Hon. Member for the University. Till about lunch yesterday I was under the impression that over the excise question the angle of vision has been undergoing or has undergone a radical change. That was not to be, because the speeches made by hon. Members the moment we met after lunch dashed my expectations to the ground. The speeches of the hon. the Finance Member, Sir Alexander MacDougall, Mr. Srinivasan and the hon. the Excise Minister removed from my mind the last vestige of hope. Objections after objections were raised to the policy which we are anxious to commit the Government to, the policy of total prohibition being the goal and the necessity of immediate steps being taken to see that consummation is reached within a reasonable period of time. Objection on the score of finance was raised by the hon. the Finance Member. He was not prepared to sacrifice the revenue which according to him came to a little over 5 crores of rupees. Now, Sir, the percentage of excise revenue to the total revenue so far as this Government is concerned comes to a little over 30 per cent. It is not so in other provinces. My only justification to speak on this resolution is that my district contributes by far the largest amount of excise revenue. If I am not mistaken, it occupies the second or third place in this Presidency districtwar and its contribution under this head comes to a little over 30 lakhs of rupees a year. It is that thing which compels me to ask the Government to face the situation and to tackle it in all seriousness, not to cast it to the winds on the ground of financial stringency or on the ground of financial embarrassment or again, on the ground of the incompetency of the State to place any restrictions upon individual liberty. This hackneyed argument that we cannot place restriction upon individual liberty however seductive and alluring it may be, cannot, with any show of reason, be advanced on the floor of the House. For, in very many matters we are not allowed to have our own way of doing things and expressing ourselves. Has not the legislature made suicide penal? Has not the legislature prohibited gambling and has not the legislature placed so many restrictions upon men's activities right or wrong, imaginary or misguided on the sole ground that a full display or exhibition of a man's ability is likely to affect the society in general? The evils of drinking are recognized. The drain it produces upon the individual purse is also recognized. The havoc which it has many a time wrought upon family life goes without saying. People have become wrecks; and so long as the temptation is there, knowing as we do human nature, it is impossible to overcome it unless effective steps are taken in the direction which would enable people to become more and more sober in course of time. If I understood Sir Alexander MacDougall aright, he was not for a dry Madras when all other provinces, Bombay, etc., would continue to be wet. As regards that, I would submit this: In a matter like this it is up to the Government to lead, to initiate a bold policy and to take pride for bettering the economic and material condition of the people. Once we lead and initiate a bold policy of total prohibition to be reached within 5, 10 or 20 years, I have not the slightest doubt that the other provinces will take a leaf out of the book of this Government and try to be guided by it as much

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as possible. There is no use saying that this is an All-India problem and that, therefore, we can sit with folded hands until the Imperial Assembly makes up its mind to introduce All-India legislation in this direction. In this province it is felt so keenly that we feel that it is the paramount duty of the Government to take measures for the purpose of combating this evil. If the revenue which this Government derives under this head is a little over 5 crores of rupees, the loss to the drunkard or consumer is 15 crores and not 5 crores only. The Government is there to better his condition socially and economically, to elevate him and to drive away poverty which stares him in the face.

"The hon. the Minister stated, if I understood him aright, that the heart of the people must be changed in a matter like this. I entirely agree with him. But when serious attempts were made early in 1921 by some enthusiastic temperance workers who engaged themselves in intensive propaganda for the purpose of changing the heart of the people, what was the attitude of the Government and some of the enthusiastic agents of the Government? Most of these picketeers who were standing before the arrack shops and exhorting the people not to go there by falling at their feet were prosecuted and sent to prison. The hon. the Minister takes us to task now for not engaging ourselves in intensive propaganda work to change the heart of the people. Unless the Government change their policy and are prepared to give a lead in that direction, I do not think it is open to the Government to lay the blame at the door of the people, specially in view of the recent happenings which came up for much criticism on the floor of the House and which, unfortunately, constitute a dark chapter in the history of the Government.

"Then it is said that the legislature ought not to interfere. The question arises what is it that the Government have to care for. Is the Government to prefer revenue or the manhood of the nation? No civilized Government would be justified in sacrificing the welfare of a large number of people and their manhood for the sake of revenue. With a view to maintain the manhood of the nation, if the circumstances require it, we are prepared to sacrifice the revenue of 5 crores; for as against this sacrifice of revenue we have the satisfaction that about 15 or 20 crores of rupees will still be left in the country in the hands of the consumers which will go a long way to better their condition and reduce their poverty. The Government in my humble judgment, ought to commit itself to a policy realizing its duty to the people who have been placed under its charge and I, for one, refuse to be carried away by the bogey of financial strain or financial responsibility. If not now, at least in the near future, the Government must be prepared to face it and it is up to the Excise Minister before he lays down the reins of office to do something in this direction. So far as the hon. Minister is concerned, no doubt he was eloquent but his speech though eloquent was wanting in sympathy. He indulged in ordinary platform phrases and jejune platitudes which took us nowhere. Peculiar circumstances seem to sit on him tightly so as to prevent from giving expression to the real course of action which as a free man he might be tempted to initiate and carry out.

"Now, Sir, if the recommendations of the Excise Advisory Committee came up for a large share of adverse criticism at the hands of our hon. Friend, Dr. Natesa Mudaliyar, on the ground that they are inadequate and

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unsatisfactory, the speech of the hon. the Minister for Education was certainly no better. In a matter like this we have every right to expect him to give a lead. I am not to be understood as being against some of the details adumbrated in Resolutions Nos. 2 and 5. They are by no means exhaustive. Some of the charges levelled against the hon. Member for the University are that his resolution is impracticable, that he has not taken the Government into his confidence and that he has not indicated what immediate steps which, according to him, the Government must necessarily take with a view to bring about total prohibition. Total prohibition ought to be the goal of the Government. The hon. the Minister for Excise declines to commit himself to any time-limit, declines to commit himself to the various stages adumbrated in the other resolution. What I say and what I wish to emphasize is that total prohibition ought to be the declared goal. There is no use mincing matters. If I understood the hon. Member for the University aright, the reason why he has not fixed a time-limit is because he is of the opinion that, if a time-limit is prescribed, there will always be the temptation to exceed the time-limit once and even more than once. He hopes and trusts that it will be possible for the Government to bring about the consummation within a short space of time, viz., five or seven years. That is the reason why my hon. Friend Mr. Venkataramana Ayyangar has fixed a maximum period of ten years. The hon. Member for the University is not for prescribing any time limit because he hopes and trusts that it may be possible for the Government to embark upon the policy and to take immediate steps in that direction. As for the immediate steps to be taken, first let the Government declare the policy of total prohibition to be their aim and goal and then they would be able to find the resources. If the hon. Minister, after admitting this policy, comes to us and states that the Government are still wanting in resources, then we would co-operate with him and advise him as to the various steps to be taken which will enable him to give effect to this policy. Therefore, I do not think he is justified in characterising the resolution moved by Mr. Satyamurti as unworkable.

"The hon. Member from Chingleput stated in his usual way that the resolution of the hon. Member for the University was not worthy of any consideration. That may be his personal, individual opinion, but I do not think that that opinion of his will be shared by other persons. Sir, in regard to this matter the Government have not been bold enough to lay down their policy on the floor of this House for the past five years, ever since this party came into power. The sixth year is now drawing to a close, and I think it is incumbent upon the Excise Minister who has been in charge of this branch of the administration for over five years to tackle the question in all seriousness, to set about it in right earnest, and to take effective steps which will remove this drink evil within three, five, or even ten years. Anyhow, before I resume my seat, I would ask him to accept and to declare on the floor of this House that total prohibition is the policy and the immediate goal of this Government."

12-30
p.m.

* Mr. S. SATYAMURTI :—"Mr. President, Sir, my resolution which is the first of the series of resolutions moved on the Excise Advisory Committee's report has been characterised by the hon. the Minister and his lieutenant, my hon. Friend from Chingleput, as a resolution which does not specify any

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time-limit, only suggests steps in a vague form, and does not suggest the means of replacing, wholly or partially, the loss to the revenues of this province, which the destruction of this drink traffic I contemplate in my resolution will bring about."

* The hon. Rao Bahadur Sir A. P. PATRO :—" May I correct the hon. Member, Sir? I never criticised his motion as not having placed any time-limit. On the other hand, I was glad that the hon. Member fixed no time-limit."

* Mr. S. SATYAMURTI :—" I said my resolution has been so characterised. Certainly, whether the characterisation is adverse or favourable, is not relevant at this stage. I shall deal with these three points, Mr. President, *seriatim*. I claim, Sir, that my resolution is the most extreme, and at the same time the most practical, paradoxical as it may seem. For one thing, it does not prescribe any time-limit, because once you fix a time-limit, I suggest that procrastination is possible. The moment you say ten years or twenty years or thirty years, these years may not begin for some time, and after they begin, they may get extended, sometimes twice and sometimes thrice over. Again Sir, I am one of those who believe that temperance reform and prohibition are ends in themselves and the Minister himself, in spite of all his pessimism, want of faith, and cynicism, if he only attempts this experiment honestly and earnestly, will be converted, and the forces of progress towards prohibition will gather such an amount of momentum, that I have no doubt as the years pass by, two, three or four years, he will find it easy to do it within the limit of five years, which my hon. Friend from the European Association ridiculed. Then, Sir, if we come to the time-limit, we find that while we were for ten years as a possible compromise, on the other side, we found my Friend Dr. Natesan suggesting twenty years, and although the Minister very cleverly refused to say anything on it in the course of his speech on the amendment, when I cornered him, he said in a negative form 'I am not for that limit of twenty years.' When the time for voting came, Mr. President, a strange thing happened in this House. The three Ministers who are supposed to be the leaders of the party which is supposed to be the majority party in this House voted against that amendment; but the Ministerialists' party voted for it. I submit, Sir, a very curious constitutional position has arisen as a result of that voting. Because, on one side my hon. Friend from Madras, Mr. Madanagopal Nayudu was very frank, although he did no service to his party, when he explained to us seriously that an important resolution on a question of life and death for the people of this Province was passed by his Federation, in a fit of absent-mindedness and therefore, the period of ten years is meaningless. Then, Sir, when we come to this House we find a Ministerialist putting forward twenty years, the Minister, opposing it, and his party voting for it. I want to know whether we cannot have honest politics in this House. What does the Minister represent? Is he for twenty years, is he for prohibition, is he against twenty years? If he is for nothing, how is it that he is a Minister? He is there as a Minister, I take it, under diarchy, because he carries about the votes of his party in his pocket. Well, his pocket has been torn open. There are no votes for his position. His party men are for twenty years. I should like the hon. the Finance Member again to give us a lecture on

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diarohy or a dissertation as to how the Reserved half gives its official and nominated votes to support this Minister who cannot get votes for his own policy, who cannot give a lead to this House on an Excise subject—a Transferred subject. What is this farce of a farce which is being enacted here? The elections are coming off. My hon. Friends who are to go to the election platforms will be asked: 'What have you people, done for prohibition?' My Friend will get up the hustings and say 'I have passed the resolution for twenty years'. I will ask: 'What have you done here all these five years?' You voted day after day, went into the same lobby with the Minister on Excise votes and other votes, and voted for twenty years. If you were serious about it, you could have reduced the period to fifteen years from now; you have done nothing these five years. But, Sir, I do ask very seriously hon. Members of this Council to believe in honest politics even under diarchy; to play the game and play it straight. We are for prohibition, immediate, absolute, total prohibition. It may be hopelessly wrong, wholly impracticable, but certainly we place our cards on the table. We only ask the other side to place their cards on the table. Let the hon. Member say that he agrees with my hon. Friend from the European Association, that he does not believe in prohibition by legislation, that he believes in prohibition or abstinence only by education. I may say, Sir, I entirely agree with the hon. the Finance Member that there is a world of difference between total prohibition and abstinence. We believe, when we talk of total prohibition, in prohibition by legislation, because we believe that so long as there is temptation placed in the way of our people, human nature being what it is, it is impossible to have prohibition. And history supports us! (Hear. hear from hon. R. Veerian and loud laughter.) That interjection provokes laughter, but half a minute's thought on the degeneration and the suffering of the so-called depressed classes in this Presidency will convince my hon. Friends that their speeches wrong an ancient community, which feels that in spite of the hon. the Finance Member's sympathy yesterday, it wants this prohibition, and that the other prohibitions will then go, as at daybreak the night ends. I therefore suggest, Mr. President, on this one constitutional point, that my hon. Friends on the other side of the House cannot vote with the Minister, unless he will make a clean breast of the whole thing. He cannot have the cake and eat it too. He must either retain office, openly saying he is against prohibition, and against any time-limit. He cannot merely lisp in words and then turn round and say to his party 'you vote for twenty years, I will simply for form's sake stand with the Treasury Bench. We shall manage somehow or other'. That was not the way in which even Lord Willingdon conceived this 'Happy family'. Sir, I referred to this very important constitutional position in order to elucidate the matter. Section 52, clause (3) of the Government of India Act says in relation to transferred subjects: 'The Governor shall be guided by the advice of his Ministers'. Now, I am asking my hon. friend the Excise Minister, what is the advice he proposes to offer to the Governor with regard to this transferred subject, Excise. Is it the advice of saying no prohibition at any cost, temperance reform only by social reform or education, or some slight tinkering with this great question, or is it total prohibition by every means within the power of the State within twenty years, as my friend suggests? As a result of the vote to-day and of the Federation's proceedings, the non-Brahman party outside this House is for prohibition within ten years.

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The non-Brahman party within the House is for prohibition within twenty years. The Minister is for prohibition at no time. Is that an honest position, Sir, which a party can be allowed to hold, and hold office on that strength? As I said, my resolution aims at total prohibition, and that is why I say it is a most extreme resolution. I am content if the hon. the Minister will say from his place that he accepts total prohibition, with all its implications of prohibition by legislation as the goal of this Government to be worked up to immediately, specific steps being taken to that end. I certainly am for no time-limit whatever; for I believe, Sir, once the goal is sighted and once your step is set firm on the road to that goal, I believe with Cardinal Newman, 'It is not for me to see the distant scene'. I only ask for one step. There is not only profound truth but profound humility and wisdom in those beautiful lines. I believe, Sir, that if the Government will accept this as the goal and will take immediate specific steps without any *arrière pensée* or mental reservation, I for one will be quite content, because I know the reform is so good, has so much potentiality in it, that by its very potentiality it will carry itself forward much sooner than we expect.

"My hon. Friend the Finance Member shed copious tears for the individual whose liberty will be restricted under this prohibition legislation."

* The hon. Mr. T. E. MOIR :—"I shed no tear, Sir." (Laughter.)

* Mr. S. SATYAMURTI :—"This interruption is wholly unnecessary. I want to give just one or two instances. All society is based on restraint of individual liberty. My friend and I cannot be here, unless we obey certain very rigid laws which restrain our liberty. I cannot go out of this House and speak publicly what I think about the hon. the Finance Member, without coming under section 124-A of the Indian Penal Code. I cannot express my honest opinions about the Madras Government on any public platform and say what really they are in my opinion, before my friend will try to put me in jail forthwith. Or take another example. Supposing a man is weary of life and wants to kill himself. He does no harm to anybody. Why does the Indian Penal Code punish attempts at suicide? It seems to me, Sir, that this theory of individual liberty can be easily ridden to death, and the question is, what is the purpose for which you want to restrain the liberty of the individual, which should be always consistent with the highest good to the higher number in any State. I suggest that restriction of the facilities, prohibiting the facilities of drink, for the people is in the highest interests of the largest number and therefore it is perfectly consistent with the highest democracy known to the world. Then, Sir, my hon. Friend also showed profuse sympathy with the depressed classes. Whenever members of the Indian Civil Service profess their sympathy for the depressed classes, I am tempted to ask the question 'You have had the running of this country for the last 150 years. What have you done for them?' Now that they are in the Council, their votes are valuable, you try naturally to set one against the other and always say 'What have these people done for you? I ask 'What have you done for them all these 150 years which we have not done?'. But, it seems to me, Mr. President, to say that in the interests of these depressed classes they must have drink is insulting their intelligence and their character, and I hope that the members of the depressed classes will answer the hon. the Finance Member in the way in which he deserves to be answered."

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* The hon. Mr. T. E. MOIR :—" On a point of personal explanation, Sir, I never said that they must have drink. The hon. Member has no right to misquote me in that way." 12-45 p.m.

* Mr S. SATYAMURTI :—" I was not quoting the hon. Member. The hon. the Finance Member asked : ' Are you going to impose on this community with an age-long prohibition another prohibition in the form of prohibition of drink ? ' Am I misquoting him, Sir, when I say that he stated that they must have drink ? "

* The hon. Mr. T. E. MOIR :—" That is not what I objected to, Sir, but to the remark that I said they must have drink."

* Mr. S. SATYAMURTI :—" I do not see any personal explanation in that Sir.

" Coming, Sir, to the financial aspect of the resolution, may I suggest that I entirely agree with the position that this is tainted money and, if to-morrow we cannot make up this loss of revenue either by retrenchment or by substituted taxation, I am perfectly willing that the State must lose that revenue and must run the administration without that revenue ? I take that position. It seems to me, Sir, public opinion in this Presidency will support me in that position. But we can and we ought to retrench. I can mention as fields of retrenchment the Special Reserve Police, the Board of Revenue which has been asked to be abolished times without number in this House, and the Lee loot, for example, for which we have found money easily. I may mention other instances by which we can really retrench. We have, then, the provincial contributions which are being remitted, which are bound to be remitted. Why should they not be earmarked to take the place of the expected loss of revenue from excise ? I may add, Sir, that, if necessary, I shall be prepared for substituted taxation. With a full sense of responsibility, Mr. President, I say from my place in this House, that if the Government accept prohibition as the goal and take immediate steps specifically to bring about total prohibition, our people will, with open eyes, agree, if all avenues of retrenchment have been thoroughly explored and if an unanswerable case is made out for increased taxation and lastly, if we are satisfied that the tax would be imposed by the vote of a fully representative elected House, and the money would be spent according to our dictates, to fresh taxation. My hon. Friend, the Finance Member, referred to the common sense of the people of this Presidency. I accept that challenge. I invite my hon. Friend to resign his seat in this Council as an Official Member, to get himself enrolled on any electoral list in any district in this Presidency and let us both contest any seat on this question of prohibition. And I am willing to take the verdict of the common sense of the people of this Presidency. If they prefer my hon. Friend to me because he is against prohibition, I will give up politics, Sir. If, on the other hand, they prefer me to him and want prohibition, will he join my camp and fight for prohibition in this Council ? That seems to me to be the only way in which we can test this appeal to the so-called common sense of the people of this Presidency.

" I should like to ask my hon. Friend the Minister for a specific answer as to whether he is for my resolution or against it, whether he is in favour of the other resolutions or against them. He owes

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it to us to say that. He is bound to say at least this: what is his attitude towards the resolution tabled by a Member of his own party, my hon. Friend Diwan Bahadur Krishnan Nayar, as amended by Dr. Natasa Mudaliyar, which will be moved now and put to the vote in the amended form. Is he for it or against it? Then, Sir, turning to the party, I ask, are they for it or against it? If they are for it, I want to ask them a few questions. What have they done for these five years to bring about total prohibition? We had the attempts of the non-co-operators to stop drink. There may have been excesses in a large popular movement like that. But it is not for the Government to put down the whole attempt with an iron hand, send patriots of the type of my Friend, Mr. C. Rajagopalachariyar whom my Friend praised yesterday as a sincere and earnest reformer, to jail. Now, let them tell me that they are for putting down drink, that they are for prohibition now, because the elections are coming on. I ask what have they done by way of taking practical steps to work out temperance reform, let alone prohibition? The reports are here. The figures are here. I am not going to tire this House with these figures. But, Sir, I think, barring a very slight reduction here and a very slight reduction there, the whole evil remains there in all its large proportions, and no serious attempt has yet been made to tackle that evil and no serious attempt will be made because the Minister does not believe in total prohibition, does not believe in any time limit, does not believe in legislation, but only has not the courage to say it, because the elections are coming on. Now, Sir, with regard to this party and their vote, I only want to say this that a political party which has been in power for six years is judged in all countries by its past and not by its future promises. And this party will be judged at the next elections, not by its vote to-day or by its promises for the future, but by what it has done for the past five years and more to bring about temperance reform or prohibition. And I want to remind the Minister and his friends: 'You can fool some of the people all the time, you can fool all the people some of the time, but you cannot fool all of the people all the time'.

"My hon. Friend yesterday contented himself with quoting a few sentences written by me an ardent Swarajist, to my friend, Mr. C. Rajagopalachariyar, an ardent prohibitionist and Swarajist. Mr. Rajagopalachariyar wanted that prohibition should be the only issue before the country for the next elections. I wanted to say that Swaraj should be the supreme issue, and I wanted to maintain it, and I do maintain it still, that without Swaraj you cannot have complete prohibition in this Presidency for various reasons, the Governments of the provinces, the Native States, the Government of India, the Finance Department and various other things, over which we have no control. I still believe in that. But, Sir, to argue from that, that a Minister who has done nothing and who proposes to do nothing, can ride off on the plea that he has done nothing and that he can do nothing, because of these difficulties, is certainly an eminent case of an eminent person quoting Scripture for his own purpose. For I suggest that it is possible, only for a man who has honestly tried to do everything in his power to reduce drink, to bring about total prohibition, to turn round and say that, if the Finance Member has stopped him here, if the Governor has stopped him there, if the Government of India have interfered with him in a third place. You take no steps and you simply want to say that you cannot have prohibition because Satyamurti has said against

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Mr. Rajagopalachariyar that without Swaraj you cannot have prohibition. If he really believes in prohibition, let him cross the floor and vote for Swaraj with me. If not, why this misuse of the letter written by me for another purpose altogether ?”

* The hon. Rao Bahadur Sir A. P. PATRO :—“ For Swaraj, we need not cross the floor; we can get it from where we are.”

* Mr. S. SATYAMURTI :—“ So long as my Friend remains where he is, the Swaraj we shall get will be a Swaraj where he likes to vote one way and his party another way. That is a kind of dishonest Swaraj. I do not want it. I want to get honest clean party politics, honest Swaraj for which my hon. Friend must cross the floor of the House

“ Then it was said that I had suggested no steps. I shall suggest some steps. A declaration of policy. Will he declare the policy now, that it is total prohibition? Will he restrict the number of shops or the number of trees tapped? Will he adopt any of the excellent suggestions made by my hon. Friend from Coimbatore in his resolution, modest as they are ?

“ I shall leave alone the hon. Minister. My hon. Friend the Member from Chingleput, who is evidently resting after his yesterday's labours, said in the course of his speech that my proposal was not worthy of serious consideration, but in the course of a long speech he did nothing but answer my resolution. He began by saying that he was going to give reasons to this House, as to why he preferred Mr. Muniswami Nayudu's resolution to all the other resolutions but gave no reasons. He sat down after abusing me to his heart's content. I am not hurt by it. But it only shows the paucity of ideas in the minds of the Ministerialist supporters on this vital question.

“ Then we had the hon. Member, the Secretary to the hon. the Minister, who gave us an honest, straightforward speech for which I congratulate him saying that he does not believe in prohibition by legislation, but believes in temperance reform, in preventing temptations for excessive drink. He is the Secretary to the hon. Minister for Excise. I should have liked to ask my hon. Friend whether he spoke for himself or for his chief or for his party. Because, Sir, we really want to know where we are. Here is a Minister speaking and voting one way, the Secretary to the Minister speaking and voting in another way, while the party speak and vote in a third way. Where are we, ye Gods! where are we ?

“ Then, Sir, my hon. Friend, Sir Alexander MacDongall, and my hon. Friend, Mr. Khalifullah, both of them referred to the divine law against drink, and said that if people are willing to disobey divine laws, will they not disobey human laws? In that case, Sir, we ought to repeal the Indian Penal Code. Excepting offences against the State for which there is no divine law prescribing punishment, divine law punishes all other offences. Take murder. Why should there be three or four sections of the Indian Penal Code for punishing murder, when all the great prophets and the religions have said: ‘Thou shalt not kill?’ And I am sure my hon. Friend will not feel himself safe in this country, but for the Indian Penal Code. It seems to me that because of the prohibition of drink by divine law, you need not have man-made law, argues an ignorance of motives which generally govern human action in this world. Most of us are moral, because of the fear of punishment. It is a sad truth, but it is a truth. And

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therefore, I suggest that all those of us who believe in prohibition can have faith only in legislation, until this world is converted into heaven itself, and we all become angels and shall have no use for the Penal Code and other penal laws.

“With regard to America, we have had all sorts of contradictory statements made. But I will only say this, that in America, prohibition has been in force for more than five years. It has not yet been repealed. The hon. Member, Sir Alexander MacDougall, said that he was able to get liquor even in America in spite of the prohibition. I may say that in jails here run by this Government, he can get tobacco; the convicts get tobacco day after day supplied to them by the warders. Which law was not broken in this world since it was made? It seems to me, Sir, irrelevant to say that because a rich man like my hon. Friend can go to America and break the law”

Sir ALEXANDER MACDOUGALL:—“I am not a rich man, Sir. (Laughter).”

* Mr. S. SATYAMURTI:—“It is a matter of difference of opinion. I am a very poor man, and, therefore, even he appears to me to be rich. To say from that that the law does not work well does not argue very much.

“But, Sir, the last point which my hon. Friend made this morning was that we must have social work before we can have prohibition. We have a proverb in Tamil, Mr. President, which says. A young man who was insane can get married only if he became sane; it was also said of him that he would become sane only if he got married. The result was that he got neither married nor sane. Similarly, my hon. Friend says you must do social work before you can have prohibition.”

* The hon. Rao Bahadur Sir A. P. PATRO:—“I said, side by side, Sir.”

* Mr. S. SATYAMURTI:—“May I take it, Sir, as his answer that prohibition will be introduced by this Government and that we have only to do the social work to make it enforceable?”

* The hon. Rao Bahadur Sir A. P. PATRO:—“The answer is there already in my speech.”

* Mr. S. SATYAMURTI:—“There is no use saying ‘side by side’. The speech was there; I was commenting on it and my hon. Friend thought there was a lacuna and spoke out. I now ask him whether he means what he says, namely, that side by side means side by side. He does not seem to realize what he means.”

1 p.m. * The hon. Rao Bahadur Sir A. P. PATRO:—“Just by way of personal explanation, Sir. I think in quoting or referring to me my hon. Friend ought to quote truly and honestly. I said in my remarks this morning that along with the steps being taken by the Government to control and to carry on Excise reform, there should be co-operation of the public.”

* Mr. S. SATYAMURTI:—“I was not quoting him, Sir, and there is no use in saying that I quoted him.”

* The hon. Rao Bahadur Sir A. P. PATRO:—“He was misquoting me.”

* Mr. S. SATYAMURTI:—“I am not misquoting him, Sir. There is no need to misquote him at all (A voice: ‘Oh’). My hon. Friend was simply saying that we ought to have prohibition by social work. Does he say it or not? If he does not, what does he say? But, Sir, my point is this. Prohibition is the highest form of social work. We believe that the dirt,

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the filth, the squalor, and the miserable surroundings in which the vast bulk of our people live are directly traceable to this monster of drink. We believe, therefore, that the highest-social work and social service we can do to our poor men and women and children is to abolish drink. Will the Minister co-operate with us, or will he, while he is in office and while he is Minister, simply go on saying to us in the Council that we must carry on social work, but as Excise Minister, he will not do anything to remove the temptation in the way of these poor unfortunate people? I may say, Sir, that it is the Government that has done nothing, to the extent to which they have got the power to help us in carrying on social work. It was not very many weeks ago that on the floor of this House my hon. Friend, the Minister for Local Self Government, in answer to a supplementary question or an original question, said that health inspectors for local boards and municipalities have been prohibited from carrying on prohibition or temperance propaganda, because the Government considered it is a contravention of the rule. Now, I should like to ask my hon. Friend how he reconciles the answer of his Colleague with his answer, his invitation to us to co-operate with him in carrying on social work. They will not let their own health inspectors carry on temperance propaganda work, but they come here and tell us that we must do it. Sir, my hon. Friend said that we must co-operate with him in social work. We unconditionally agree to co-operate and if the Government declare their goal as total prohibition and take steps in that direction, the public of this Presidency without any political differences whatever will co-operate with the Minister in bringing about this desired goal, because we believe that only with a free nation, freed from this vice of drink, can permanent Swaraj which will be beneficial to all people be built. I will only end with an appeal to the hon. the Minister. I know such appeals are made in vain; but still this appeal will reach if not him, at least some members of his party whose minds may not have become warped by official routine: and I make that appeal in the words of one who, though a Brahman, is not an anti-Ministerialist, but a friend of the Ministerialists, Sir T. Sadasiv-Ayyar, the President of the Board of Commissioners of Hindu Religious Endowments, by whom my hon. Friend the Minister for Local Self Government swears almost every day on the floor of this House. Sir T. Sadasiva Ayyar says:

'For the reasons already quoted alcohol in any form and in any quantity is injurious physiologically and mentally. I shall not deal with the spiritual or religious aspects for obvious reasons, though, I need not say that in my opinion they are the most important. I myself personally feel that, while the Government ought to be neutral in religious matters, they ought to work in dealing with social problems in a religious spirit as befitting the Government of our mother India who is the mother of the most spiritually minded nation on the earth. This fear of losing revenue, when doing good and acting morally, may, no doubt, not be a serious fault in a statesman, when the fear is confined within reasonable limits; but when it becomes excessive, it is almost a denial of the Divine Government of the Universe and the result of overwhelming self-conceit. The Lords of Karma give us monsoon and windfalls (like Rs. 126 lakhs as remission from provincial contributions) according to our moral desert and I wish that our Governments were filled more with the courage to do right and proper things than with the fear of the material consequence of acting morally, thinking in their human foolishness and blindness that the material consequences are as inevitable and serious as is represented to them by the vested interests who are unconsciously under the guidance of Satan.'

"Sir, we have done our duty. Here we have placed our proposals before this House and we have asked the Minister to accept them. He has spurned them. Luckily, in 6, 7 or 8 months, we shall be facing the electorate, and we shall place this issue before them, and I have no doubt, to use the words

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of the hon. the Finance Member, that the common sense of the people of this Presidency will send representatives to this House who, without fear or favour, will work for the prohibition of drink, on which alone we can have a free, manly and self-reliant nation of whom we may be proud."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :— " Mr. President, Sir, I am sorry I have to follow the eloquent address of the hon. the Member for the University, but I want to place a few facts arising out of the explanations that have been given on the other side for the consideration of this House before they commit themselves on this very important question. Sir, after five years of experience and inquiry, we expected the hon. the Minister for Excise to tell us plainly what he is going to do. At other times, not the Minister for Excise, but the ex-Member for Finance used to ask us what exactly we wanted him to do. Though the Excise Minister has been in charge for five years, he has not come forward with his advice to the Government both in regard to the goal to be followed as well as the particular specific methods which we want the Government to adopt. What do we get, Sir? The hon. the Member for Excise simply declines to say anything either with reference to the goal or with reference to the methods that he proposes. He says ' You had better say whatever you have got to say. You pass your resolutions. I shall consider them later on, place the matter before the Cabinet and take their views.' But what are his views? What is he going to tell the Cabinet, as regards the goal to be followed and as regards the methods that he is going to adopt? That he has not told us. It is not, Sir, honest dealing by this House to put himself in that position. He has to give us the lead so far as this important matter is concerned and he has to tender advice to the Governor. What is the lead he is going to give us, to this House, and what is the advice he is going to tender to the Governor? "

* The hon. Rao Bahadur Sir A. P. PATRO :— " I have just a personal explanation, Sir. I think the question of honesty or dishonesty all lies with the other side. They have to give their honest and their most righteous opinion on the matter placed before them. It is not the Minister. The issue before the House is not . . . "

* The hon. the PRESIDENT :— " What is the point of the personal explanation? "

* The hon. Rao Bahadur Sir A. P. PATRO :— " The personal explanation is this, Sir. The issue before the House is not what the Minister should say, but what the House should say, and therefore the use of the expressions ' honest ', ' dishonest ' and all that only betrays their own weakness and betrays their want of sufficient confidence in the cause they are advocating. "

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :— " It is not a matter of our believing in a cause or not, but it is a question of his position in this House and his duty to this House. I did not say that he is honest or dishonest. What I said was that it was not dealing honestly by this House. As the Leader of this House so far as this matter is concerned, as a person who has to lead this House on this particular question, it is his duty to tell us what exactly he thinks ought to be the policy of this House in this matter and take the opinion of the House. When he does not do it, I beg to submit, Sir, it is not honestly dealing with this House. He says he has his opinion, but he does not give expression to it. This is not honestly dealing with this

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House. That is what I said and I do repeat it. That, Sir, is the position. He ought to give us a lead and express his views. He practically declines to tell us what his opinion is and what he is going to advise His Excellency the Governor to do. So, we are left to deal with it as we please. That is not the way in which important things are done in responsible places elsewhere.

“ We have had, with reference to the goal itself, the views which have been expressed for years, for decades over and over again, by the hon. the Finance Member and gentlemen who hold the same views with him. I certainly understand the position in which these gentlemen are placed. The hon. the Finance Member and people like Sir Alexander MacDougall do not consider drink as an evil by itself. So far as their position is concerned, their arguments, no doubt, show the view point they take with reference to that matter. But we take a different view of that matter altogether. We consider that drink is an evil by itself and we want to put it down as we want to put down any other evil. I do not think it is open to any Member to say that, because he considers a thing evil or not evil, every other person should hold the same view. It is open to everybody to hold his own view as to whether a particular matter is an evil or not. For instance, in the Imperial Assembly, not very long ago, there were found orthodox persons who thought that the Age of Consent Bill as passed recently by the Assembly was an unthinkable measure, that it went against the freedom of the people, against the time-honoured customs in the country and so on. What does the hon. the Finance Member say with regard to that? Does he think that the Imperial Assembly was right in legislating on a matter like that, when there were those who said that that measure went against the freedom of the people? Legislation may be stated to be a restraint on freedom. The only question is to what extent that restriction should be imposed. That is the only matter that should be before the Legislature. Sir, this is not a matter which for the first time we are asked to deal with. Both, here in India and elsewhere, the question of the drink evil has been tackled. We have got the example of the United States of America which has gone in for total prohibition. We have got the example of Scotland which has gone in for local option as admitted by the hon. the Finance Member himself as a sort of pressure of the majority on the minority and the imposition of the views of the majority on the minority. That is exactly what is contemplated here. I am prepared to follow the lead of democratic countries like the United States of America in preference to the view expressed by the hon. the Finance Member and Sir Alexander MacDougall. It is too late in the day to urge against social legislation of the sort. The only question which they will have to consider in a matter of this kind is whether this drink habit is an evil or not. It is held by a majority of people in India that it is an evil. The State is bound to act upon it, take action and put the necessary pressure to stop that evil. That is what should be done, and that is all what we propose should be done, in this Council.

“ Well, Sir, it is said that the Imperial Government is likely to stand in the way and so we ought not to do anything in the matter. That probably explains, to a certain extent, the nervousness on the part of the hon. the Minister for Excise. He seems to think that nothing can be done by this Council, because there is the overshadowing question of finance with reference to which the other portions of the Government will come in and say that

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they are not prepared to accept the new policy. He is also afraid that the Government of India will come in and say 'we are not prepared to follow the policy which you advise'. That I suppose explains the Minister's reluctance to commit himself either with reference to the goal or with reference to the methods to be followed in this House.

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"He has not let us into the secret of what exactly he is going to do hereafter. But anyway there seems to be something standing in the way of proposing anything radical. Well, so far as the position of the Government of India is concerned, I find that Sir George Barnes, the then Member for Finance, speaking in the Legislative Assembly, said on the 3rd January 1918, that if any local Government should in future recommend the closing of liquor shops in a particular area, hon. Members would find the Government of India not standing in the way of that recommendation. And also in the particular debate referred to by the hon. the Finance Member or the hon. Minister for Excise, the hon. Member for Finance in the Government of India was asked to send a circular to all provincial Governments asking them to take steps for the purpose of putting down this evil. It is in reply to that that he made his statement. That ought to be taken into consideration before we give any interpretation to the speech, or rather, to the sentence mentioned with reference to this matter. Because, it is only a sentence and that by itself will not lead us to the conclusion which the front Treasury Bench want us to come to. This is what he said: 'Sir, I am inclined to agree that, if a policy of local option or prohibition is going to be attempted by local Governments with any great vigour, the Government of India will not possibly look on.' That is in reply to the recommendation of the Assembly that the Government of India should ask the local Governments to adopt a policy of total prohibition. It only means that the Government of India will have to consider the question. It is not that that was opposed to the local Governments. It does not mean that at all. It only means that the Government of India also would have to consider the question. It is not a question which the local Governments alone would have to consider. It does not mean anything more than that. So, Sir, it is for the local Governments to frame a policy and then send it to the Government of India for advice. That is the position and not that, being afraid of what the Imperial Government would do, the provincial Governments should fold their hands and keep quiet.

"Then, Sir, I would draw the attention of the House to the several resolutions that stand on the paper. The first resolution of my hon. Friend for the University is a general one and does not go into any definite methods. Those he does not refer to."

* The hon. the PRESIDENT:—"Is the hon. Member going to speak on all the resolutions?"

* Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"No, no."

* The hon. the PRESIDENT:—"He is exercising the right of reply only on his resolution I suppose."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Yes. My resolution only supplies what is wanting in the resolution of the hon. Member for the University. Mr. Satyamurti's resolution is a general resolution. He says that the goal ought to be accepted as total prohibition and he also

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says that immediate steps should be specifically taken to bring that about. I, Sir, in my resolution am proceeding further. I accept the goal of total prohibition and give the methods that ought to be followed for attaining that goal. Thus, the two do not overlap or contradict each other. The one supplements the other. All these proposals that I have made are considered proposals, as I have said before. These are based on the experience of other provinces. The hon. the Minister for Excise, in his usual way and the way that has been followed by the report, simply wants to take up everything and say what are the objections put forward or are apprehended elsewhere. He wants to take the help of the other people, only to that extent. With reference to the system that is being followed in the United Provinces, the hon. the Minister for Excise took the views of Mr. Strathie and Mr. Shanmukham Chettiyar who said that it is not working satisfactorily there. But, as a matter of fact, since the report was drafted already three years have elapsed. The United Provinces have followed the same policy and they have found the system working satisfactorily. The latest Government Order is dated September last year and they are giving more powers to the licensing boards, making their control more direct and, as I said already, they are introducing this new system of sealed bottles in a large number of municipalities to avoid the difficulties that arise on account of overcrowding, etc. Well, Sir, we find that, in spite of the opinion expressed by Messrs. Strathie and Shanmukham Chettiyar, the system has actually worked well and the result is, I submit, that in the last four or five years there has been a reduction in the consumption of liquor from 1,500,000 and odd gallons to 633,000 gallons. That is the result that has been obtained. So we have got the opinion of the United Provinces Government which is following the policy as well as the result to guide us as regards this particular policy. Therefore, the opinion expressed by those two gentlemen who went from Madras and studied it only for a few days cannot be taken as conclusive as against the opinion that has been formed by the experience of the United Provinces Government and the result obtained.

"Then, Sir, with regard to other methods. Rationing and other methods are all experiments and we have got the experience of other Governments as well. We can carry on these methods with better chance of success, because we know the difficulties they have met with and also the remedies they have suggested. We can now establish the systems with the remedies they suggest, and so we will be in a better position than those Governments in following the particular policy. At the end of five years, we can review the whole position and we can make any changes that may be necessary provided we accept total prohibition as our goal and go on with these new methods. To this there may be no objection whatever. As I submitted, the Excise Minister has not said why he could not adopt these methods and how else he is going to proceed. In the face of these things, I beg to request that the House will consider the question and give its support to this resolution.

"I will only say a word about the resolution of my hon. Friend from Chittoor which is a rival resolution. In that resolution, even though total prohibition is accepted as the goal, it only mentions for a specific policy reduction of toddy shops and with regard to arrack he says a policy of

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rationing or any other policy may be framed. The question of reduction of shops is being followed from 1909 when the Government of India initiated their policy and the question of rationing is not definitely recommended. So, the whole resolution comes to this. Total prohibition is to be the goal to be realized in twenty years and the methods by which to reach that goal are to be left to Government. That is the resolution proposed by my hon. Friend, Mr. Krishnan Nayar, for the hon. Member for Chittoor. It leads us nowhere at all except that it wants Government to declare total prohibition as our goal. That is not sufficient. As I submitted, my resolution gives the definite methods to be followed by Government, whereas the Ministerial amendment, or rather I shall say, the amendment moved from the Ministerial side, because the Minister does not take the responsibility for it, simply says that total prohibition ought to be accepted as the goal. As regards the methods, it practically gives a blank cheque. That, I submit, is not satisfactory. So I request hon. Members to consider what exactly ought to be our policy and give their votes to my resolution."

* Diwan Bahadur M. KRISHNAN NAYAR :—"Mr. President, Sir, I will not take more than three or four minutes. My Friend, Mr. Ramalinga Chettiyar, says in effect he regards my resolution as a rival. I may assure him that it is not so. That was not the spirit in which it was framed. That was not the spirit in which it was moved. It is a resolution contemplated to give effect to the goal mentioned in it within a short period of twenty years. I do not know how my Friend regards this as a rival resolution. Then my Friend says that the methods are not satisfactory. He was contradicting himself. In fact, it is specifically stated in the resolution that it should be by adopting the principle of rationing specifically or through other principles. It gives the discretion to Government. That does not show that the resolution does not specifically lay down anything. Having mentioned this in answer to my Friend from Coimbatore, I may say that, in order to give effect to total prohibition within twenty years, it is necessary that my hon. Friend the Minister in charge of this department should begin at once his endeavours to reach this goal. I hope he will, if this Council is pleased to adopt this resolution, and I hope the Council will ultimately pass this resolution. If the Council passes this resolution, I hope my Friend, Sir Patro, will loyally accept both the spirit and the wording of this resolution and begin his work at once to bring about the desired result within the period mentioned."

* Rao Bahadur C. NATESA MUDALIYAR :—"Mr. President, Sir, we have been hearing an electioneering lecture by the hon. Member for the University. I have often told him that we have not been working for prohibition on account of the elections but we have been prohibition workers long before he ever dreamt of public life, that is from about 1908, and even earlier than that. In spite of that, he has been speaking of elections and elections alone. That shows what a bugbear elections are to him. He spoke, Sir, about the hon. Member for Chingleput abusing him and doing nothing else. I now ask Members of this House what has the hon. Member for the University been doing for the last half an hour here? Sir, it is the Ministerial party—rather the non-Brahman party—that was the cause of the introduction of temperance resolutions into this Council. It was Mr. Ramalinga Chettiyar who was on this side in the first Council (A voice—'They are not now on that side') that introduced the first resolution about temperance. He was

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supported then by Mr. Shunmugham Chettiyar. It does not matter, Sir. I myself was on that side for some time (laughter.) We, the non Brahman party, take all the credit for it. No doubt the hon. Minister's speech was a disappointing one (Hear, hear). The Minister made no improvement on the report of the Committee. But what I understood from his speech was that he did not want to take the responsibility but only was advocating the case of the Government which was rather troubled by the financial aspect of the problem.

"The hon. the Minister took suggestion after suggestion and tried to prove that they will be futile in our province and that they had been found impracticable in other provinces. Sir, I request him not to take suggestion after suggestion separately, but to take some of them together and see whether a combination of them, such as reduction of shops, rationing, local option (which is my resolution), fixing the hours of sale and closing of shops on holidays, will not have any effect. I also appeal to the Minister for Health to issue orders to various health officers to have health propaganda work done proving the evils of drink, through lectures, magic lantern exhibitions and through leaflets. I also request the Government to issue orders to the various local bodies and the employers of labour in large numbers to have workmen's clubs and see that education is spread not only among children of the workmen, but also among the adults. Sir, a reference was made to the existence of such social clubs in Scotland and other places. I will draw the attention of the House to a place in the city itself where welfare work is done—I mean the Buckingham and Carnatic Mills. They are doing it in a splendid way. Take the workmen out of the mire in which they are living, place them in healthy surroundings, give them good houses and good food, prevent them from drinking and educate them, you will see that the workmen become more efficient, turn out more work and increase the wealth of the country. By this method, I hope some of the difficulties of the hon. the Finance Member will be solved.

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"Sir, so much is said about individual will and State interference. Sir, if a man shows dogged determination to drown himself in a well, why should the State interfere? If individual will is to be respected, the Penal Code is of no use.

"Referring to my speech, the hon. the Finance Member said that he would quote authorities in favour of drink as I did against it. I have got respect for the hon. the Finance Member. I have known his sincere sympathy for the depressed classes which perhaps the hon. Member for the University did not know. I worked with the hon. the Finance Member when he was Labour Commissioner. The hon. Member for the University says that the British Government did not do anything for the depressed classes for the last 150 years. But what have the Hindus done for them during 2,000 years? (Mr. R. Veerian: Hear, hear.) We are under a great obligation to the European missionaries who did so much social amelioration to that community which we have failed to do. Under the British Government through the non-Brahman movement, through the Raja of Panagal, the depressed classes members are here in this Council. (A Voice: 'How?') The depressed classes mission and the non-Brahman deputation to England secured them this right.

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“Sir, so much is spoken about toddy. If there is any drink in the country that should be combated against, it is this toddy and toddy alone. We are not concerned so much with high class liquor because it is taken only by rich men who can afford to lose. Thousands and thousands of families have been ruined by toddy. It is against toddy we should lead a crusade. It is easy in our land to proceed with prohibition; for, there are two great religions advocating prohibition. And, if I remember right, my hon. Friend Mr. Arpudaswami Udayar, also stated that the other religions also stand for temperance. Thus, it is easy for us to go on with prohibition. With the combined efforts of our popular Ministers, the sympathetic reserved half, and the hearty co-operation of the people, I think prohibition will be within our sight.”

Rao Bahadur A. S. KRISHNA RAO PANTULU:—“I propose to reply, Sir. Can it not be after lunch?”

* The hon. the PRESIDENT:—“We will go on till 2 o'clock.”

Rao Bahadur A. S. KRISHNA RAO PANTULU:—“Sir, I must first confess to a feeling of keen disappointment that even after an interval of nearly five years since this question was first mooted in this Council, the hon. the Minister has not seen his way to give expression to more liberal views on excise reform. I thought that from the way in which the report of the Excise Advisory Committee was placed before this House, he would, before pronouncing his opinions in the manner in which he has done, have given full and due consideration to the various resolutions which have been moved and in regard to which opinions have been expressed from all sides of the House. When I found the hon. Member from Malabar and my Friend Dr. C Natesa Mudaliyar moving resolutions having as their object the question of total prohibition, I thought that, at least, at the closing of the second term of this reformed council, we were well nigh coming to the conclusion in favour of total prohibition. But what do we find? We find, Sir, that notwithstanding the resolutions we have moved, not from this side of the House but even from the Ministerialists, notwithstanding the strong expressions of opinion made regarding the desirability of total prohibition, the hon. Minister remains unmoved and, if anything, he has gone from bad to worse, as I shall show presently by quoting him.

“When the first resolution in regard to this matter was moved on the 2nd August 1921, he told us that the policy of the Government was total prohibition and that he would begin to work towards that ideal. In the speech which he delivered yesterday except that he used the words ‘goal of total prohibition’ in a casual manner, he did not express any faith whatever in the ideal of total prohibition being worked out within a known period of time.

“Sir, we find that when this question was raised in 1924 definite suggestions were made and he was asked to explain the note placed by him before the Excise Advisory Committee. Now what do we find? In reply to a definite suggestion made by the then Revenue Secretary on that occasion, we find him brushing that question aside. Well, Sir, dealing with this matter, this is what Mr Legh said :

“Those who take this view and all those who are in favour of gradual approach to the policy of total prohibition should, I think, seriously tackle the problem in the course of the next few months how to make up for the big drop in our revenue that would be created by giving

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effect to this policy. If the hon. the Finance Member were here now he would, I think, no doubt put the question as to how we are to face the problem. My suggestion is that we should gradually recoup the loss of revenue by making year after year some provision in the budget to make up the reductions in some other way.'

"A definite suggestion was made which at least should have been considered in detail carefully. But what do we find? Immediately afterwards the Minister for Excise got up and practically brushed aside that suggestion. He stated :

'It, as the hon. the Revenue Secretary has pointed out, it is possible to devise a scheme by which we can eliminate this difficulty, by all means, let us come to this conclusion and ultimately adopt it. It is one of the points we are considering now. By cutting down the provision in the budget there will be no progress.'

"So, Sir, the suggestion which was definitely made by the Revenue Secretary that some definite provision can be made to recoup the loss of excise revenue, was brushed aside without giving serious consideration to it. Even regarding the question of total prohibition as an ideal to be worked up to, he had very definite views. The hon. Minister had more liberal views to put forward on that occasion which he has not got now. This is what he said :

'It took 40 years in America to work up to prohibition by this method. When we want prohibition in this country, we must take into consideration the methods adopted in other countries. We may reach the goal quicker in this country, because times are changed now and public opinion is growing.'

"Sir, the hon. Minister speaking on the 18th March 1924 looked at the question of total prohibition as a more practical problem than he looks at it to-day. He said that they took 40 years in America to attain that goal and added that we may reach the goal quicker because times are changed and public opinion is growing.

"Again, Sir, while dealing with the question of local option, he was far more sympathetic and far more hopeful. He wanted to explain away his own dissenting minute before the Excise Advisory Committee. This is what he said :

'I have given there the experience of other countries ; what their methods are in regard to local option or prohibition and what their result is.'

'It is a summary of what has taken place in other countries intended for the information and verification by the Advisory Committee.'

"Well, referring to the remarks made in the note that total prohibition is practicable and local option would not suit the Madras Presidency, he wanted to convey the idea to the House that he only gave there a summary of what took place in other countries for the information of the Council and not as an expression of his own views. After he made that expression, he was challenged by two hon. Members thus :

'May I take it that the categorical statement in this note by the hon. the Minister that "there can be little doubt whatever . . . that prohibition is not a practical proposition in Madras at present" is a collection of information from other countries?'

"This was the specific question put. And, what did the Minister say" ?

'Local option is defined in different ways in different countries. . . . The opinion which I have expressed is the same as that of the hon. Mover of the motion, namely, that local option should be tried in some particular form or other.'

"This is what the hon. Minister said on 18th March 1924, regarding local option. He said that he was himself not opposed to local option, only he wanted that the particular form of it should be determined. He further

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said that he wanted to devise various means for the purpose of achieving the object. But in the whole course of the remarks he made yesterday, he did not say one good word about the desirability of adopting local option. Even the report of the Excise Advisory Committee, I am constrained to remark, with all the opinions strongly expressed by various representatives whose answers are recorded in favour of local option, has also been brushed aside. In paragraph 14 of the report you will find that by many persons local option was regarded as a much more practical method of achieving the object they had in view.

'The late Rev. D. G. M. Leith, who had perhaps given more thought to the problem than any other witness, expressed himself in favour of local option.'

"He is spoken of as one of those great and good men whose opinion should have great weight on this question; but in coming to the conclusion this complimentary remark was of no avail. Then there is the Rev. J. H. Maclean who expressed himself in the same manner and Mr Kolandaivelu Mudulivar, President of the Temperance Association, who argued that local option can be introduced in all places. And lo, what do we find? The hon. Members of the committee referring to the opinion one Government officer of the Fisheries department Rao Bahadur V. Govindan, and another officer, a representative of the Excise department, Diwan Bahadur M. Venkatarama Ayyar, and also that of my hon. Friend, Mr. Veerian, said that there were difficulties in the matter.

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"Against the opinions of these missionary gentlemen who have spent a considerable amount of time in this country in understanding the difficulties of this problem and against the opinions of those who advocated local option, the Committee took the opinions given by two officers, one belonging to the Fisheries department and the other to the Excise department, and also the opinion of my hon. Friend Mr. Veerian who has stated that local option is impracticable, and has come to the conclusion that local option is impossible. No one can have any doubt about the opinion which my hon. Friend Mr. Veerian possesses on the question of local option but the way in which his opinion is used by the Committee in coming to a conclusion on this question does not do justice to those who are responsible for the decision arrived at by the Committee. I am justified in saying that the hon. Minister who, no doubt, referred to the question of total prohibition in the earlier speeches made by him in 1924 did not really mean anything serious about it. He might have been using the word 'goal' here and there. All that he has been saying all these years and more especially the expressions he made use of yesterday in this House, convince us only of the fact that he has no faith in it and that some statements made by him formerly are not worthy of serious consideration now."

* The hon. the PRESIDENT:—"The hon. Member will try to bring his speech to a close."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Yes, I will soon finish my speech. We would have been glad if the hon. Minister, after having worked this department all these years and having realized the strength of feeling of those members who are in favour of radical changes in the Excise administration had shown due consideration to those who have been working in favour of this ideal, viz., that total prohibition should be brought about

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as early as possible. The standpoint from which the hon. the Finance Member has looked at this question is entirely different and I entirely appreciate it. I have no quarrel with the hon. the Finance Member because he is anxious to make it a point that any reforms which would in any way affect the revenues of this province should not be carried out. The hon. the Minister in whose hands this department is supposed to be has agreed that, so far as the drink problem is concerned, he must be in the hands of the people but he has not really understood the opinions of the people of this country or the opinions of those who represent them in this House. He has not understood the way in which this resolution is introduced in this House.

"Coming to the resolution itself, I request the hon. Minister to state specifically what portions of the resolution he opposes. There is no use of brushing aside the whole question. He must say what portion of the resolution he opposes and what portion he approves. He must express his attitude regarding the whole question of temperance and say whether he will afford facilities for adopting local option and also regarding the working up of the ultimate ideal, namely, total prohibition. He has not expressed any agreement with the opinions of the House. He has not told the House how soon he will work up to this ideal. Before this House comes to a conclusion, I think it is quite necessary for him to take the resolution, clause by clause, and let the House know which he is prepared to accept and which not. There is no use of making some general assertions saying this is impracticable, that is impracticable and so on. Definite suggestions have been made. He would not take the trouble of considering the resolution clause by clause. When we make definite suggestions, he does not consider them and say which are acceptable and which not. When we do not make any definite statement, he says 'what you say is vague and I, therefore, cannot accept it'. So, in either way he is adopting a course which does not appeal to this House."

MR. R. VEERIAN :—"I want to touch upon one or two points, and they will be very short. Can we say for one moment that it is good to have the shops located near places inhabited by the depressed classes and thereby giving room for them for strong temptation? I have seen people who have died owing to excessive drinking or for want of food and not for want of supply of licit alcohol. Taking this into consideration, can we say that convicts in jails addicted to drinking get a supply of alcohol there? No; certainly not. Without alcohol are they not doing hard work in jails daily and, when they are released, are they not looking very strong, healthy and cheerful? I therefore, say that it is not at all essential for the labouring classes to drink. But owing to this excessive drinking or moderate drinking, the depressed classes are not able to reform themselves and they are economically, mentally and socially depraved. They should be induced to give up this bad habit if they wish to reform themselves. The wearer knows where the shoe pinches. I feel what I say and I say what I feel. It seems to me that some fear is entertained in the minds of hon. Members that, if the shops are removed from the localities inhabited by the depressed classes and located in areas inhabited by other classes of people, there will be disturbances. Sir, are there not disturbances in our family circles? How can we say that by shifting these shops to other places there will be disturbances

[Mr. R. Veerian]

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in those other places? Were there not several divorce cases? What are they due to in those places? There must be some meaning in what we say, in what we plead and in what we write. After all, we should not be guided by the nice, sweet and enticing speeches that have been made by the hon. Members supporting this drink evil. Well, after all, I am only asking for a small mercy as proposed in my proposition. Sir, the reason why I ask for this small mercy is that this Government, the most enlightened Christian Government, having brought the law of Jesus Christ who came as an Avatar to save humanity from falling victims to all kinds of evil should set an example to carry out the ideals and law of Jesus Christ. So, let them follow the examples of Lord Jesus Christ practically. I do not want to say anything more. I, therefore, appeal to the House to kindly support the proposition moved by me."

* The hon. Rao Bahadur Sir A. P. PATRO :—" I can understand the heat and smoke that came out of the hon. Member representing the University, because he has had the sad exposure of his position as a speaker on the platform, as a writer in the press and as an advocate in this House. After having had that exposure, he must somehow or other wriggle out of that position of discomfiture by raising the bogey of constitutional question and he now says that the Minister is voting one way and his party is voting another way. That is quite irrelevant and such characteristic arguments are not rare on the floor of this House from the hon. Member representing the University and the House has never lent its ear on those occasions. The House will remember that the attempt that has been made by him to clothe himself with a righteous garb that he is not advocating this cause as the hon. Mr. Satyamurti who wrote to Mr. C. Rajagopala Achariyar but as one who holds an honest and righteous attitude towards temperance reform. He said that he was not saying that prohibition was possible at one stage and that it was not possible at another stage. If it is honest to say at one stage that prohibition is possible and to say at another stage that even Mr. C. Rajagopala Achariyar, if he were to be the Minister, will not be able to effect a change, I leave it to the House to judge."

* Mr. S. SATYAMURTI :—" On a point of personal explanation. I never said that Mr. C. Rajagopala Achariyar would not be able to effect any change or modification. I said and I say, that even if he were to be the Minister, he cannot enforce prohibition."

* The hon. Rao Bahadur Sir A. P. PATRO :—" I think I am right in saying that what he said was that under the existing system, even if Mr. Rajagopala Achariyar were to be the Minister, he would not be able to effect any change. I read his words :

' Another point which I made it clear in my speech was even if Mr. C. Rajagopala Achariyar were to be the Minister under the present system of diarchy in Madras, he would not be able to bring about prohibition. That is the statement which was made by me previously.'

" Now, this House was treated to vehement denunciations of the Minister and his party, and it was pointed out that there was inconsistency and that therefore the policy of the Minister ought to be condemned. Here is a statement made which is not at all explained. If we accept that statement as honest, if we accept that statement as correct and if we accept that it is a

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[Sir A. P. Patro]

political and public worker that has made this statement, then I ask why these denunciations are made. I ask exactly in his words 'Where are we'? If a public man with public honesty can make a statement at one place and ask the people of the world to believe that that is the true feeling, that it is the real cause, and that it is the righteous cause, and yet honestly come into the House and say that it is entirely a different thing that he said there, and what the hon. Minister has been doing is altogether wrong, then I have nothing to say. Therefore, I hope the House will not, I am sure, be misled by such misrepresentations. The House can take care of itself in spite of vehement and characteristic denunciations of the hon. Member for the University.

"The hon. Member for the University said that for five years the Minister has been in office and he has done nothing. I cannot appreciate that position. He must know that the drink problem is not one of five years but it has been in this country since the days of Kautallya and reformers have been working at it. It is a problem of five hundred years and therefore, cannot be solved in a day. Look at what has been done during these five years! Before the Reforms, the Madras Government adopted an advanced and progressive policy in this direction and I say deliberately that the Madras Province under the guidance of one of the ablest administrators, Sir Charles Toddhunter, adopted measures for reducing the consumption of liquor which the other provinces followed. They made an experiment which Madras had been progressing long before the Reforms. We had to wait and see how the experiment introduced by the pre-Reform Government was working and whether it would be effective. When we saw that the changes were not working properly and when we found that other provinces adopted a different policy suitable to their conditions, we sent a deputation to other provinces and they came to the conclusion that changes far in advance of theirs and suitable to our conditions were in existence in this province long before other provinces adopted them.

"After the Reforms were introduced in 1921, from 1921 to 1925, we have introduced a series of restrictive measures with regard to hours and quantity of sale, private possession and strength of liquor, etc. We are imposing such restrictions as will conduce to the reduction in the consumption of drink.

"It has been argued, more than once, how are we going to face the electorate? Well, election is not the be-all and end-all so far as drink problem is concerned. I said that it was a question which would affect not only the finances of the State, but also the social and economic condition of the people. I indicated on what lines this problem should be simultaneously tackled. The question was put to me, 'how are you going to face the electorate?' I am not here to answer such questions on this occasion. I ask in the face of the reply which Mr. Satyamurti gave to Mr. C. Rajagopalachariyar, how are you going to face the electorate honestly? How can you apply or carry out or adopt the policy of prohibition? Can anybody sitting on either side of the House or any one who would face the electorate say honestly that he can advance the cause of prohibition and he can bring it about in this country under the existing circumstances? When that is not so, when the hon. Member for the University wrote to Mr. C. Rajagopala Achariyar that prohibition was not possible, I say, that you cannot mislead the electorate by arguments such as those put forward on this occasion."

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2 p.m.

* Mr. S. SATYAMURTI :—" My hon. Friend has omitted to read the second sentence yesterday, and I want to read it now. In that sentence I told my friend Mr Rajagopalachari, ' You cannot face the electorate and tell them that you will bring about prohibition.' He would have to tell the electorate to put his party in power, and then they would fight for prohibition and bring about a crisis which will result in Swaraj and prohibition also with it."

* The hon. Rao Bahadur Sir A. P. PATRO :—" For the edification of the public and for the information of the House I shall read the extract. There is nothing like saying ' Put my party in power and I shall achieve my object by bringing about deadlocks.' My hon. friend says ' Will he tell the electorate, as candidates, may, and will in free and self-governing countries, that if he and his party are returned to power, they will put down drink in the province? If he does so, he will be misleading the electorate, because he knows or ought to know that the Council has no power to do this. Will he not have to tell them, therefore, that while he and his friends will certainly do their best for prohibition',—a very convenient expression and an honest expression too, there is no dishonesty here—' will he not have to tell them, therefore, that their attempts are bound to prove futile and that therefore the electors must help him to establish Swaraj in order that they may have prohibition?' (Mr. Satyamurti :—Hear, hear.) That is the whole case. Every one will do as best he can to bring about prohibition."

* Mr. S. SATYAMURTI :—" Will the hon. Minister say that he will try his best to bring about prohibition?"

* The hon. Rao Bahadur Sir A. P. PATRO :—" There it is an honest statement of an honest politician that if he were to tell the electorate that he would bring about prohibition in the circumstances he would be misleading the electorate. On the other hand he must tell the electorate that, if they put him in power, he would do his best to bring about prohibition."

* Mr. S. SATYAMURTI :—" Will the hon. Minister do it?"

* The hon. Rao Bahadur Sir A. P. PATRO :—" That is the whole case as you find it. But the hon. Member, Mr. Satyamurti, who wants to catch votes in this House is an entirely different person. (Mr. Satyamurti : No.) During the last five years we have done enough. I do not want to tire the House with the various items of work carried on in excise reform during the years 1921 to 1925. I have stated them all in my speech last year."

* The hon. the PRESIDENT :—" Will the hon. Minister take a long time to finish his speech?"

* The hon. Rao Bahadur Sir A. P. PATRO :—" No, Sir, I am concluding."

" Therefore, Sir, the issue of prohibition that has been put forward by the Ministerialists in the resolution that has been alluded to is one which the Party believes to be the just and proper one. Under the system of diarchy you will easily see that it is not a question of the Minister working out the policy; since the problem involves revenue considerations also the whole Government must adopt the excise policy. In many respects we are still under the control of the Central Government. Under the circumstances, it is not fair to say that the Minister differed from the Party. Under the system as at present, I cannot subscribe to anything to which the Cabinet as a whole cannot subscribe. (Mr. Satyamurti : Oh!) It must be plainly and honestly understood how we stand." The hon. Member from

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[Sir A. P. Patro]

Coimbatore referred to various methods and experiments made in other provinces. I explained that each one of them has been examined here, and the other provinces do not help us to make any radical changes. Similarly, with regard to the recommendation of the hon. Member from Nellore that some form of local option must be tried, I must say that the formation of the licensing boards is one other form of local option. There is no inconsistency between what was said then and what is said now. After a careful consideration of all these resolutions, Government will have to work out a policy and it is not possible, therefore, as was indicated, that the Minister could give a lead on the question. It was asked that the Members of the House should have an opportunity of discussing the report and expressing their opinion thereon before the Government passed orders on the report. That opportunity has now been given and the House has expressed its opinion. After the lead given by the House, the Minister is bound to consider all that has been discussed here, before he could tender his advice to the Governor under section 51 of the Government of India Act (Mr. S. Satyamurti : section 52 please); yes, under section 52 of the Act. It is not for me under the circumstances to state any definite policy."

* The hon. the PRESIDENT :—" I shall now put the questions to the vote one by one."

Khan Bahadur P. KHALIF-UL-LAH SAHIB :—" Sir, it has been arranged that His Excellency the Governor will open the hostel of the Anjuman School to-day at 4-30 p.m. It will, therefore, be convenient to many of us, if you would bring the meeting to a close at 4 of the clock."

* The hon. the PRESIDENT :—" Is it the general wish of the House? Anyhow we shall consider it later on."

The question is that this Council expresses its dissatisfaction with the wholly inadequate recommendations of the Excise Advisory Committee, and recommends to the Government that they should declare their policy to be the total prohibition of the manufacture, consumption, or sale of alcoholic liquor and that they should take immediate steps specifically to bring about total prohibition. (Mr. Satyamurti's resolution).

The question was put and declared lost.

Mr. Satyamurti demanded a poll and the House divided thus :—

Ayes.

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|-------------------------------------------|--------------------------------------------|
| 1. Mr. V. Madhava Raja. | 14. Mr. V. C. Vellingiri Gounder. |
| 2. Rao Bahadur C. V. S. Narasimharaju. | 15. „ P. C. Venkatapati Razu. |
| 3. Mr. C. Ramalinga Reddi. | 16. „ S. Satyamurti. |
| 4. Rao Bahadur T. A. Ramalinga Chettiyar. | 17. „ T. Adinarayana Chettiyar. |
| 5. Mr. A. Ranganatha Mudaliyar. | 18. „ P. Anjaneyulu. |
| 6. Sriman Biswanath Das Mahasayo. | 19. „ C. Maruthavanam Pillai. |
| 7. Mr. A. Chidambara Nadar. | 20. „ V. Pantulu Ayyar. |
| 8. „ M. Gangaraju. | 21. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 9. „ C. Gopala Menon. | 22. Mr. T. M. Narayanaswami Pillai. |
| 10. „ K. Koti Reddi. | 23. Sriman Sasibhushan Rath Mahasayo. |
| 11. „ S. Mattaya Mudaliyar. | 24. Mr. B. Srinivasa Ayyangar. |
| 12. „ P. Peddiraju. | 25. „ C. V. Venkataratnam Ayyangar. |
| 13. „ M. R. Setaratnam Ayyar. | 26. „ Naganna Hegde. |

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Noes.

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|--------------------------------------------------|-------------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 24. Rao Sahib P. V. Gopalan. |
| 2. " Mr. N. E. Marjoribanks. | 25. The Zamindar of Kallikote. |
| 3. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 26. Rao Bahadur K. Krishnaswami Nayudu. |
| 4. " Mr. T. E. Moir. | 27. Mr. J. Kuppuswami. |
| 5. " Diwan Bahadur Sir T. N. Sivag-nanam Pillai. | 28. " B. Madanagopal Nayudu. |
| 6. " Rao Bahadur Sir A. P. Patro. | 29. Honorary Lieutenant Madurai. |
| 7. " the Raja of Puvagall. | 30. Mr. T. Mallesappa. |
| 8. Mr. G. T. Beag. | 31. Rao Bahadur B. Muniswami Nayudu. |
| 9. " V. Pandrang Row. | 32. Dwan Bahadur A. M. Murugappa Chettiyar. |
| 10. " F. Noyce. | 33. Mr. C. Muttayya Mudaliyar. |
| 11. " Abdulla Ghatala Sahib. | 34. " B. Obalesappa. |
| 12. " S. Arpudaswami Udayar. | 35. " K. S. Ponnuswami Pillai. |
| 13. Rao Sahib T. C. Tangavelu Pillai. | 36. " G. Premayya. |
| 14. Mr. K. Prabhakaran Tampan. | 37. " B. Ramachandra Reddi. |
| 15. " C. E. Wood. | 38. " P. Sagaram. |
| 16. Capt. E. G. Windle. | 39. Diwan Bahadur M. Krishnan Nayar. |
| 17. Sir Alexander MacDonall. | 40. Mr. P. T. Rajan. |
| 18. Rao Bahadur C. Natesa Mudaliyar. | 41. Rao Bahadur P. Raman. |
| 19. Mr. P. K. S. A. Arumuga Nadar. | 42. Mr. J. D. Samuel. |
| 20. " A. V. Bhanaji Rao. | 43. " K. Sarabhareddi. |
| 21. Rao Sahib S. Ellappa Chettiyar. | 44. Rao Sahib R. Srinivasan. |
| 22. Mr. A. Ramaswami Mudaliyar. | 45. Mr. K. Sitarama Reddi. |
| 23. Diwan Bahadur P. C. Ethirajulu Nayudu Guru. | 46. Rao Sahib P. V. S. Sundaramurti. |
| | 47. Diwan Bahadur K. Suryanarayanamurti Nayudu. |

Neutral.

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|------------------------------------------------|----------------------------------------------------|
| 1. Mr. H. B. Ari Gowder. | 6. Khan Bahadur V. Hamid Sultan Marak-kayar Sahib. |
| 2. " K. Raghuchandra Ballal. | 7. Mr. Khadir Mohiddin Elyas Khan Sahib Bahadur. |
| 3. " Abbas Ali Khan Bahadur. | 8. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 4. Khan Bahadur Haji Abdulla Haji Qasim Sahib. | 9. Mr. T. M. Moidu Sahib. |
| 5. Ghouse Mian Sahib. | |

26 hon. Members voted *for* the motion, 47 *against* it and 9 remained *neutral*. The motion was lost.

The hon. the PRESIDENT :—"The next question before the House is :—

That this Council recommends to the Government

(a) *that it shall declare that total prohibition is the goal ;*

(b) *that licensing boards be constituted with non-official elected majorities with directions—*

(1) *that the number of shops selling arrack, toddy, and foreign liquor be reduced by 50 per cent in five years ; and*

(2) *that the issue of arrack and foreign liquor to each shop be reduced by 5 per cent of the quantity issued last year 1924-25, so that there may be a progressive reduction of 10 per cent in the second year and so on ;*

(c) *to prohibit sale altogether on market, festival and pay days and to exercise more stringent supervision ;*

(d) *that auctioning of shops be abolished and fixed fees levied ; and*

(e) *that the methods to be adopted to attain the goal be reconsidered again at the end of five years."* (Mr. T. A. Ramalinga Chettiyar's resolution.)

10th February 1926]

The question was put and declared lost.

A poll was demanded and the House divided thus :—

Ayes.

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|--------------------------------------------|-----------------------------------------------------|
| 1. Rao Bahadur C. V. S. Narasimha Raju. | 19. Mr. V. Pantulu Ayyar. |
| 2. Mr. C. Ramalinga Reddi. | 20. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 3. Rao Bahadur T. A. Rimalinga Chettiayar. | 21. Mr. T. M. Narayanaswami Pillai. |
| 4. Mr. A. Ranganatha Mudaliyar. | 22. „ Abbas Ali Khan Sahib. |
| 5. Sriman Biswanath Das Mahasayo. | 23. Khan Bahadur Haji Abdulla Haji Qasim Sahib. |
| 6. Mr. A. Chidambara Nadar. | 24. Mr. Mubammad Ghouse Mian Sahib. |
| 7. „ M. Gangaraju. | 25. Khan Bahadur V. Hamid Sultan Marak-kayar Sahib. |
| 8. „ C. Gopala Menon. | 26. Mr. Quadir Mohiddin Elyas Khan Sahib. |
| 9. „ K. Koti Reddi. | 27. Sriman Sasibhusban Rath Mahasayo. |
| 10. „ S. Muttayya Mudaliyar. | 28. Mr. R. Srinivasa Ayyangar. |
| 11. „ P. Paddiraju. | 29. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. |
| 12. „ M. R. Seturatnam Ayyar. | 30. Mr. T. M. Moida Sahib. |
| 13. „ V. C. Vellingiri Gounder. | 31. „ K. Uppi Sahib. |
| 14. „ P. C. Venkatapati Razu. | 32. „ C. V. Venkataramana Ayyangar. |
| 15. „ S. Satyamurti. | 33. „ Naganna Hegde. |
| 16. „ T. Adinarayana Chettiayar. | |
| 17. „ P. Anjaneyulu. | |
| 18. „ C. Maruthavanam Pillai. | |

Noes.

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|--------------------------------------------------|------------------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 25. Rao Bahadur Cruz Fernandez. |
| 2. „ Mr N. E. Marjoribanks. | 26. Rao Sahib P. V. Gopalan. |
| 3. „ Khan Bahadur Muhammad Usman Sahib Bahadur. | 27. The Zamindar of Kallikote. |
| 4. „ Mr. T. E. Moir. | 28. Rao Bahadur K. Krishnaswami Nayudu. |
| 5. „ Diwan Bahadur Sir T. N. Sivag-nanam Pillai. | 29. Mr. J. Kuppuswami |
| 6. „ Rao Bahadur Sir A. P. Patro. | 30. „ R. Madanagopal Nayudu. |
| 7. „ the Raja of Panagal. | 31. Honorary Lieutenant Madurai. |
| 8. Mr. F. B. Evans. | 32. Mr. T. Mallesappa. |
| 9. „ G. T. Boag. | 33. Rao Bahadur B. Muniswami Nayudu. |
| 10. „ V. Pandrang Row. | 34. Diwan Bahadur A. M. Murugappa Chetti-yar. |
| 11. „ F. Noyce. | 35. Mr. C. Muttayya Mudaliyar. |
| 12. „ Abdulla Ghatala Sahib. | 36. „ B. Obalesappa. |
| 13. „ S. Arpudaswami Udayar. | 37. „ K. S. Ponnuswami Pillai. |
| 14. Rao Sahib T. C. Tangavelu Pillai. | 38. „ G. Premayya. |
| 15. Mr. K. Prabhakaran Tampam. | 39. „ B. Ramachandra Reddi. |
| 16. „ C. E. Wood. | 40. „ P. Sagaram. |
| 17. Capt. E. G. Windle. | 41. Diwan Bahadur M. Krishnan Nayar. |
| 18. Sir Alexander MacDougall. | 42. Mr. P. T. Rajan. |
| 19. Rao Bahadur C. Natesa Mudaliyar. | 43. Rao Bahadur P. Raman. |
| 20. Mr. P. K. S. A. Arumuga Nadar. | 44. Mr. J. D. Samuel. |
| 21. „ A. V. Bhanaji Rao. | 45. „ K. Sarabha Reddi. |
| 22. Rao Sahib S. Ellappa Chettiayar. | 46. Rao Sahib R. Srinivasan. |
| 23. Mr. A. Ramaswami Mudaliyar. | 47. Mr. K. Sitarama Reddi. |
| 24. Diwan Bahadur P. C. Ethirajulu Nayudu Garu. | 48. Rao Sahib P. V. S. Sundaramurti. |
| | 49. Diwan Bahadur K. Suryanarayanamurti Nayudu Garu. |

As the Secretary was counting the votes, Mr. V. C. Vellingiri Gounder stood up and said :—Hon. Member Mr. Ari Gowder stood up in favour of the motion. His name has not been noted. 2-15 p.m.

* The hon. the PRESIDENT.—The hon. Member could not have stood up in time. If he had done so, the Secretary would have noted his name.

33 hon. Members having voted for the resolution and 49 against, the motion was lost.

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* The hon. the PRESIDENT :—"The next question before the House is—

'That this Council recommends to the Government that it should be the declared policy of the Government that total prohibition of drink is the ultimate goal to be attained within a period of twenty years and that the same be worked up to by gradual decrease in the number of shops as regards toddy and by gradually reducing the consumption of arrack by adopting rationing or other policy and further recommends to the Government that with a view to give effect to the policy immediately, the Finance Committee be requested to explore and report to this House the possibilities of making up the loss of excise revenue by retrenchment of expenditure or other means' (Mr. B. Muniswami Nayudu's resolution ").

The (amended) resolution was put to the House and declared lost.

A poll was demanded and the House divided as follows :—

Ayes.

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|----------------------------------------------|---------------------------------------------------------|
| 1. Mr. K. Prabbakaran Tampan. | 22. Mr. K. S. Ponnuswami Pillai. |
| 2. " H. B. Ari Gowder. | 23. " B. Ramachandra Reddi. |
| 3. Rao Bahadur C. Natesa Mudaliyar. | 24. Diwan Bahadur M. Krishnan Nayar. |
| 4. Mr. P. K. S. A. Arumuga Nadar. | 25. Mr. P. Sagaram. |
| 5. " A. V. Bhanaji Rao. | 26. " P. T. Rajan. |
| 6. " N. Devandrudu. | 27. Rao Bahadur P. Raman. |
| 7. Rao Sahib S. Ellappa Chettiyar. | 28. Mr. K. Sarabha Reddi. |
| 8. Mr. A. Ramaswami Mudaliyar. | 29. " K. Sitarama Reddi. |
| 9. Diwan Bahadur P. C. Ethirajulu Nayudu. | 30. " K. Chavadi Subramanya Pillai. |
| 10. Rao Bahadur Cruz Fernandez. | 31. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 11. Rao Sahib P. V. Gopalan. | 32. Mr. E. Veerian. |
| 12. Zamindar of Kallikote. | 33. " T. M. Narayanaswami Pillai. |
| 13. Rao Bahadur K. Krishnaswami Nayudu. | 34. Khan Bahadur Haji Abdulla Haji Qasim Sahib Bahadur. |
| 14. Mr. J. Kuppuswami. | 35. Mr. Muhammad Ghouse Mian Sahib. |
| 15. " R. Madanagopal Nayudu. | 36. Khan Bahadur V. Hamid Sultan Marak-kayar Sahib. |
| 16. Honorary Lieutenant Madurai. | 37. Mr. Khadir Muhi-ud-din Elyas Khan Sahib. |
| 17. Mr. T. Mallesappa. | 38. Mr T. M. Moidu Sahib. |
| 18. Rao Bahadur B. Muniswami Nayudu. | 39. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 19. Diwan Bahadur A. M. Murugappa Chettiyar. | |
| 20. Mr. C. Mutayya Mudaliyar. | |
| 21. " B. Obalesappa. | |

Noes.

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|------------------------|------------------------------|
| 1. Mr. F. B. Evans. | 4. Sir Alexander MacDougall. |
| 2. " F. Noyce. | 5. Mr. J. D. Samuel. |
| 3. Capt. E. G. Windle. | 6. Rao Sahib B. Srinivasan. |

Neutral.

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|-------------------------------------------------|--------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 11. Mr. S. Arpudaswami Udayar. |
| 2. " Mr. N. E. Marjoribanks. | 12. Rao Sahib T. C. Tangavelu Pillai. |
| 3. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 13. Mr. C. E. Wood. |
| 4. " Mr. T. E. Moir. | 14. " G. Premayya. |
| 5. " Diwan Bahadur Sir T. N. Sivagnanam Pillai. | 15. " K. Raghuchandra Ballal. |
| 6. " Rao Bahadur Sir A. P. Patro. | 16. Rao Bahadur C. V. S. Narasimha Raju. |
| 7. " the Raja of Panagal. | 17. Mr. C. Ramalinga Reddi. |
| 8. Mr. G. T. Boag. | 18. Rao Bahadur T. A. Ramalinga Chettiyar. |
| 9. " V. Pandrang Row. | 19. Mr. A. Ranganatha Mudaliyar. |
| 10. " Abdulla Ghatala Sahib. | 20. Sriman Biswanath Das Mahasayo. |
| | 21. Mr. A. Chidambara Nadar. |
| | 22. " M. Gangaraju. |

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Neutral—cont.

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| 23. Mr. C. Gopala Menon. | 33. Mr. C. Maruthavanam Pillai. |
| 24. „ K. Koti Reddi. | 34. „ V. Pantulu Ayyar. |
| 25. „ S. Muttayya Mudaliyar. | 35. Rao Sahib P. V. S. Sundaramurti. |
| 26. „ P. Peddiraju. | 36. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 27. „ M. R. Seturatnam Ayyar. | 37. Mr. Abbas Ali Khan Sahib. |
| 28. „ V. C. Vellingiri Gounder. | 38. Sriman Sasibhushan Rath Mahasayo. |
| 29. „ P. C. Venkatapati Bazu | 39. Mr. R. Srinivasa Ayyangar. |
| 30. „ S. Satyamurti. | 40. „ K. Uppi Sahib. |
| 31. „ T. Adinarayana Chettiyar. | 41. „ C. V. Venkataramana Ayyangar. |
| 32. „ P. Anjaneyulu. | |

39 hon. Members voted for the resolution and 6 against, while 41 remained neutral.

The resolution was carried.

* The hon. the PRESIDENT :—“ The next question before the House is —

‘ That this Council recommends to the Government that local option should be the immediate policy of Government and further recommends that Government should explore, with the assistance of a committee of this House, the financial sources available for gradually recouping the loss of the excise revenue with the view of finally adopting total prohibition. ’ (Mr. C. Natesa Mudaliyar’s resolution). ”

The resolution was put to the House and declared lost.

* The hon. the PRESIDENT :—“ The next question before the House is that—

‘ This Council is of opinion that the recommendations of the Excise Advisory Committee are not calculated to effect any substantial improvement in excise administration and makes the following recommendations to the Government :—

- (1) *that it be declared that the goal of the excise policy is the total prohibition of drink and that the goal will be worked up to by definite stages and as early as possible ;*
- (2) *that steps be taken to reduce the quantity of arrack manufactured or available for sale by a fixed proportion every year, so as to eliminate it altogether in twenty years ;*
- (3) *that steps be taken to reduce the number of trees tapped for toddy year after year ;*
- (4) *that steps be taken to reduce the quantity of foreign liquor available for sale ;*
- (5) *that steps be taken to reduce the number of shops for the sale of intoxicating liquors or drugs and to increase the excise duties ;*
- (6) *that a system of local option be introduced, with an extension of the franchise now fixed for election to the local bodies ;*
- (7) *that the constitution of the proposed Licensing Boards and Advisory Committees be made more popular by the increase of the non-official and the decrease of the official element therein ;*
- (8) *that the powers of the proposed Licensing Boards and Advisory Committees be extended to toddy shops and be made more real and effective ;*

[The President]

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- (9) *that facilities be given to local bodies, village panchayats, co-operative societies, temperance societies, social leagues and other non-official agencies to carry on educative propaganda among the masses regarding the evils of drink and to organize vigilance committees to prevent illicit distillation of liquor;*
- (10) *that provision be made for the teaching of temperance in schools;*
- (11) *that a large portion of the sum secured by the remission of provincial contribution amounting to not less than half that sum, be set apart annually to recoup the loss of excise revenues;*
- (12) *that measures of general retrenchment of public expenditure be undertaken to recoup the loss of excise revenue, while retaining the establishment necessary for the suppression and detection of crime in regard to excise matters;*
- (13) *that if after setting apart a portion of the amount of provincial contribution remitted and after effecting retrenchments and after increasing excise duties it is found that there is still a deficit proposals of taxation be undertaken to the extent necessary to cover such deficit; and*
- (14) *that in view of the delay which has already taken place, immediate steps be taken to give effect to reforms in excise administration on the lines indicated above.* (Mr. A. S. Krishna Rao Pantulu's resolution."

The resolution was put to the House and declared lost.

* The hon. the PRESIDENT:—"The next question before the House is—

'That this Council recommends to the Government that it be a direction to the Excise Licensing Board that may be constituted that no shops for selling toddy, arrack or beer should be located in or within two furlongs from the cheris or other localities inhabited by the members of the depressed classes or factories.'"

The (amended) resolution was put to the House and declared carried.

The House then adjourned for lunch.

After Lunch (3-15 p.m.).

IV

Non-official Business,

A—BILLS.

THE MALABAR TENANCY BILL.

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, kindly excuse me, Sir, if I intervene for only a matter of personal explanation. You may remember, Sir, yesterday morning I was saying that I had not received a copy of the report on this Bill for my signature. It appears that the hon. the Law Member stated at about 2-30 p.m. yesterday that from the records the paper seemed to have been sent to me. If so, I am sorry for my statement; but I must make this further observation, viz., that I was in town on those days and I do not know what paper the hon. the Law Member was referring to. But if that happened to be the report

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signed by other members, the hon. Member would find that my signature is not on that paper and such a paper had not reached me. If it is, Sir, on the other hand, the report after it was signed and it was only a printed paper that was sent to me, that is beside the point. I may also mention another thing. My Friend, Mr. Prabhakaran Tampan, did me the honour of visiting me on one of those days and told me that there was only two or three days' time for sending any dissenting minute. I think, he will bear me out when I say that I did not receive the report itself, and so there was no question of my sending any dissenting minute. I only make this explanation to show that I did not want to make a complaint against the hon. the Law Member, but my statement was quite accurate, though, no doubt, the office might have sent it to me but it did not reach me."

* Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, I present the report of the Select Committee on the Malabar Tenancy Bill in this House. In doing so, I shall make only one observation. As my Friend, the hon. the Law Member, stated yesterday, the minute, which he has written on this subject, as he himself stated, does not form part of the report of the select committee. It was written some time after the report was signed and it does not form part of it. With these words, Sir, I present the report of the select committee, and move that the Bill as amended by the select committee be taken into consideration."

Rao Bahadur P. RAMAN :—" I beg to second the motion."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" At this stage will you permit me, Mr. President, to make a statement that arises from the supplementary questions that were put to me yesterday with reference to the Malabar Tenancy Bill and the answers I furnished? It also arises out of certain consultations that have taken place between the various Members of Government including myself and the hon. Members Messrs. Krishnan Nayar and Raman Menon. As a result of those consultations, I am able to make this statement and I leave it to the House to decide what is the most feasible course they will pursue as the result or consequence of that statement. I may say, Sir, that if this House should adjourn the further consideration of the Malabar Tenancy Bill till about the middle of June 1926, the Government will advise His Excellency the Governor and will give facilities for the further consideration and third reading of the Bill before the dissolution of this Council. I may add, Sir, that this however is not to be taken as committing the Government to an acceptance of any of the principles underlying Mr. Krishnan Nayar's Bill, or any principles other than those indicated in the minute of dissent to which advertence has been made. Between now and the time fixed above, Government will initiate such enquiries as they may deem necessary with a view to formulate such modifications of the Bill as they may decide upon, and are prepared to introduce and support"

The hon. Mr. N. E. MAJORIBANKS :—" I second the motion for the adjournment of the consideration of this Bill"

* Diwan Bahadur M. KRISHNAN NAYAR :—" With reference to what has fallen from my hon. Friend, Sir C. P. Ramaswami Ayyar, I may, if I may do so, corroborate him with reference to what he has stated, viz., that as a result of a conference which Mr. Raman Menon and myself had with my

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hon. Friend Sir C. P. Ramaswami Ayyar and some other Members of Government, an arrangement has been come to, namely, that the Government will move as amendments to my Bill the suggestions which they have to make. And Government have also promised, and I am grateful for that promise, that they will summon the next meeting of this Council, I mean after the consideration of the Budget, about the middle of June to consider this Bill and the Irrigation Bill. My hon. Friend also kindly promised that he would give preference to the consideration of this Bill. In other words, the Irrigation Bill will come on only after this Bill is considered by this Council."

* The hon. the PRESIDENT :—" Before the hon. Member proceeds further, may I ask him on what question he is speaking ?"

* Diwan Bahadur M. KRISHNAN NAYAR :—" On the motion that the Bill be taken into consideration ; and I wish to supplement the statement that my hon. Friend has made."

* The hon. the PRESIDENT :—" The hon. Member should have done so before the hon. Sir C. P. Ramaswami Ayyar spoke on that motion."

* Diwan Bahadur M. KRISHNAN NAYAR :—" I do not think I am departing from the practice. I am only supplementing the statement my hon. Friend has made. I hope I have your leave."

" I was going to say this, Sir, that I feel grateful to the Government for their resolve to bring their suggestions by way of amendments to this Bill. I may also appeal at this stage to my janmi friends of Malabar not to precipitate matters by instituting further eviction suits till the meeting of the Council in the middle of June."

* The hon. the RAJA OF PANAGAL :—" Mr. President, in view of the statement which my hon. Colleague, the First Member of the Executive Council, has made, I think it is desirable that the consideration of this Bill is adjourned to some date towards the middle of June. The Bill, as hon. Members are aware, is a complicated one dealing with intricate questions of land tenure and it requires careful consideration from various standpoints ; and it is only due to this Honourable House to have all sides of the question discussed in this Chamber. In these circumstances, I would strongly appeal to the Honourable House to accept the motion for adjournment to some date towards the middle of June, the date to be fixed by His Excellency the Governor."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Mr. President, Sir, I am very glad to second this motion for adjournment of the further consideration of this Bill to some date to be fixed in June. When we read the dissenting minute of the hon. the Law Member, some of us thought that the labours of this Council and the labours of the Select Committee and the public money that were spent on the examination of the Bill introduced by my hon. Friend from Malabar, Mr. Krishnan Nayar, would be lost in vain. Now, I am glad to hear from the hon. the Law Member that Government have determined or come to the conclusion that they should put forward their own amendments to the Bill and that the Bill could be improved by means of amendments. It is a very satisfactory state of things. Government do not, however, propose to go back upon the views expressed by the

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hon. the Law Member and he has assured us that, in the meantime, Government will have their own enquiries made on some of the points and bring forward their own amendments. And when that state of things is to take place, it is an assurance that there will be a Malabar Tenancy Act very soon. In that view, I have great pleasure in seconding this motion of the hon. the Leader of the House."

* Mr. K. PRABHAKARAN TAMPAN.—"Sir, I am glad to find that the Government are introducing their own amendments to this Bill and co-operating with this Council to make it a satisfactory measure. On behalf of the jannis, I may assure the Council that we have no objection to have a reasonable measure of tenancy legislation. Mr. Krishnan Nayar appealed to me that the jannis should not precipitate matters by filing eviction suits in the meantime. I may assure him that he has my entire sympathies in this respect and that the jannis would not unnecessarily precipitate evictions. I only want that the tenants must pay their normal rents and michavaram and renewal fees. If that is done I assure him that there will be no trouble."

* Diwan Bahadur M. KRISHNAN NAYAR:—"They will certainly do that."

* Mr. K. PRABHAKARAN TAMPAN:—"I am delighted to hear it. I support the motion for adjournment."

The motion for adjournment of the consideration of the Malabar Tenancy Bill was put and carried.

* The hon. Sir C. P. RAMASWAMI AYYAR:—"I am glad to see, Sir, that the motion which was really contemplated when I made a statement on behalf of the Government has received support from every quarter of the House. There is, however, one statement that has emanated from the hon. Member from Malabar about which I should say a word. He referred to the fact or the possibility of the Madras Irrigation Bill and this Bill being considered together. We shall endeavour to arrange it so, but I do not desire to say more than this, that, as the opinion has been generally expressed that in the months of July, August and September, hon. Members of the House and others may be engaged in other and very pressing avocations, it is much better to finish the business pending before the House as soon as possible and the Government will endeavour for that reason to put these Bills together. The exact order of business and whether we would be able to bring the Irrigation Bill also—all these matters rest with His Excellency the Governor and depend on other considerations. I cannot therefore give a definite promise. Efforts will, however, be made in the direction."

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p.m

* Diwan Bahadur M. KRISHNAN NAYAR:—"May I make a personal statement, Sir? In the conversation between my hon. Friend and myself this morning at about 12, I understood that he told me that he would bring, try to bring, of course, the Irrigation Bill also in the June meeting. And I understood him to say then that he would give preference, that he would allow the Malabar Tenancy Bill to have precedence over the other Bill. I understood my hon. Friend to have made such a statement; I may be wrong in my impression. I want to know whether I am right."

* The hon Sir C. P. RAMASWAMI AYYAR:—"I may, say, Sir, that the consideration of the Irrigation Bill depends on matters which are not wholly

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in the hands of this Government and the Government do propose to bring about the further consideration of the Irrigation Bill, if possible, at the same time as this Bill. And that is all that I can say now."

* Mr. J. A. SALDANHA :—" I want some elucidation, Sir. Government propose, I think, to bring forward certain amendments before us, though they may be entirely destructive of the very fundamental principles of the Bill. In that case, the question arises whether they should not be considered at another select committee and whether these dilatory tactics of the Government, as I am disposed to call them, may not end in a fiasco."

* The hon. the PRESIDENT :—" The hon. Member may wait and see."

* Mr. J. A. SALDANHA :—" Wait and see and then . . ." (Laughter.)

* The hon. the PRESIDENT :—" And then do something."

* Mr. J. A. SALDANHA :—" What I therefore propose is that the Government should lay their cards before us much earlier than June. If they lay their amendments just at the time of meeting, where is the time for us to consider the far-reaching or near-reaching effects of the amendments? The Government should therefore lay their amendments before the House at a much earlier date in which case, if necessary, we shall again send the Bill with those amendments to another select committee who shall consider the matter and present their report in the month of June. What I fear is this, that if the amendments are put before us for the first time in June, we will be taken by surprise and not knowing where we are, we shall have to make an end of the Bill far from passing it into law. I am not sure of the bona fides of the Government in this matter."

* The hon. the PRESIDENT :—" Hon. Members must not question the bona fides of Members. We all discuss things on the assumption that we are all animated by bona fides."

* Mr. J. A. SALDANHA :—" We shall assume that, Sir. But, considering the tragedy or comedy whatever you call it which this Bill has gone through, so far, I have got much fear that the Bill will end in smoke. So I suggest it to the hon. Member and request an assurance from him that some time would be allowed for us to consider the amendments put forward on behalf of the Government."

* The hon. Sir C. P. RAMASWAMY AYYAR :—" We have been treated to three distinct metaphors. (Laughter.) As to the first, namely, the relative powers with regard to the playing of cards exhibited by the Members of the Treasury Bench and the hon. Member from South Kanara, all that I can say is this. It is generally assumed and we take it that he is such an astute player that even before our cards are placed on the table, he divines them. The second point that was made was that the Bill would end in smoke. As to that, the conflagration if it is not caused by the hon. Member from South Kanara would not be intentionally caused by the Government. What the Government will endeavour to do is to publish their conclusions as soon as they come to a decision on this matter. It is not as if the intentions of the Government are recondite. The views of the Government are expressed, as I said, in the dissenting minute. It may be that there may be further materials placed before us and we may have to make small modifications of the views expressed in the dissenting minute. I do not really think

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of that possibility as a live one. But Members know clearly that there are points of cleavage between the Bill as it emerged from the select committee and the views of the Government, so that the prior preparation of the cards which are or may come to his hand may begin from to-day. The third point was about the lack of good faith that has been expressed. As to that, all that I can do is to repudiate the assumption. I know that my hon. Friend is not quite serious in that statement, which I take it, was a rhetorical device and I am willing to treat it in that capacity."

Mr. C. RAMALINGA REDDI :—" I would like to ask the hon. the Leader of the House just one question, whether in case the Irrigation Bill too is ready for consideration in June he would kindly give precedence in the business of this Council to the Malabar Tenancy Bill."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" It is a matter for His Excellency and he will no doubt consider it. One thing I may add, Sir, that attempt will be made for the consideration of both the Bills."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—" Sir, reference has been made by the hon. the Law Member regarding the Irrigation Bill. If I understand the Standing Orders correctly, the amendments to the Irrigation Bill are now in your hands. The Standing Orders contemplate that you shall have to put them to the House and I do not think either the Government or any of the Members of this House have anything to do with the amendments. I am not clearly able to understand what the hon. the Law Member means when he says that the Government will consider or are considering the question. It cannot hereafter be called either as a Government or a non-official measure. According to the Standing Orders, the amendments are in your hands and you shall have to put them to this House from your position as its President and the House is to consider them. Government have nothing to do with the amendments. They have emanated from the Governor perhaps as a revising authority and the amendments having been already published for the consideration of the House, the Government have nothing further to do with them."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" This is a somewhat irrelevant discussion, Sir. I do not wish in the least to derogate from your powers. I only wish to say that unless His Excellency allots official days, the Irrigation Bill cannot be considered and if he does, the order is in his hands."

THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT (AMENDMENT) BILL.

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I move for leave to introduce the Bill to amend the Madras Hindu Religious Endowments Act, 1923."

* Sriman SASIBHUSHAN RATH Mahasayo :—" I second it."

* The hon. the RAJA OF PANAGAL :—" I regret I have to oppose the motion. The Bill that is proposed to be introduced is a Bill. . . ."

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* The hon. the PRESIDENT :— " I understand the hon. the Raja of Panagal is opposing the motion. Does Mr. Venkataramana Ayyangar want to make a statement ? "

* Mr. C. V. VENKATARAMANA AYYANGAR :— " I say, Sir, that my Bill is intended very briefly to exempt mutts over 100 years old and excepted temples over fifty years old, from the operation of this Act with a further proviso that in particular cases where the Government may have sufficient reasons, they may extend the Act to those mutts and temples. I am very sorry to see that the hon. Minister has expressed his regret and is opposing the motion making thereby a departure from the usual procedure not to oppose motions for leave to introduce Bills. The hon. Member was for some time following that rule in this very House and I do not see any reason why he should have in the special case gone back upon the usual procedure. We have had very good examples set up both in the Mother of Parliaments and in the Assembly and we, especially hon. Members on the other side have spoken of their intention to follow the procedure of both the Parliament and the Assembly. To-day it seems rather unfortunate that this opposition should have been made at this stage. Even in the House of Commons, Sir, which consists of a large number of Conservatives, the motion of the Labour Members for leave to introduce such a measure as the Commonwealth of India Bill was not opposed and leave was given to publish it. Last week, Sir, we read in the newspapers a large number of Bills permitted to be introduced in the Assembly. Such being the case, I do not see why the hon. Minister should take this exceptional and curious procedure and oppose the motion at this stage. If from his point of view the Bill should be opposed, there is procedure for him to follow that course after the publication of the Bill. Only let it be published and let the public know of it and let us have their criticism.

" So far as the Bill is concerned, I have said that it is a simple one. I want exemption to be given to very old mutts. We all know and remember, Sir, that in the Bill as it was originally introduced, the hon. the Minister himself did not contemplate the inclusion of such mutts in the operation of the Act. This was introduced at the select committee. I believe it was the object of the hon. Minister and his party to bring some measure which will apply only to the mutts. As it is, it is a combination of several procedures to be adopted in the case of temples and mutts. For instance people presiding over mutts over a century old have been asked by inspectors paid Rs. 50 or 60 a month, for various information under the Act. Our experience has been that these people probably have never cared to know anything about the mutts, have never entered them but that they should go and press revered heads of the mutts for various information is rather unfortunate. And therefore I appeal to the hon. the Minister once again not to depart from the usual procedure, not to create a retrograde procedure but to follow what is generally observed in such cases. And I appeal to the House at least to give permission to introduce my Bill. I know that a large volume of opinion is in favour of my Bill, and from personal conversations with members coming from South Kanara, a Christian, a Jain, a Muhammadan and a Hindu. I believe that all these persons would approve of the scheme of the Bill. That shows the feeling that so far as the mutts are concerned, the Act is doing much mischief. This Bill further provides that

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if in any exceptional case the Government finds any mutt very badly managed, it may be taken under the Act. It may be said that the Act has a provision for excluding any institution, but since this Act has been in force not even a single institution has been exempted although I know that a large number of Members of this Council put in memorials to the Government to exempt the Chidambaram temple. We do not know what the Government is doing with regard to that matter. On the other hand, they have got power to include institutions within the scope of the Act and they are ready to utilize the provision to include more institutions. The Act excludes under ordinary circumstances temples whose average income is less than Rs. 250 in the Tinnevely district. There, they have got about 200 temples whose average income is less than Rs. 250. With a view to get more money and with a view to harass institutions of such kind, the present Government has included them all, though it is not prepared to exclude any temple, mutt or institution, even when applications for exclusion are made supported by a large volume of opinion in this House. They are very ready to take up very small temples and institutions, about 200, in Tinnevely. Therefore, there is no use in saying that the Act gives power to exclude some temples and mutts. My Bill on the other hand gives the power to include certain institutions. At this stage I am asking only for leave to introduce the Bill, and I do not propose to go into the merits or the principles of the Bill in detail. I therefore hope that the hon. Minister will withdraw his opposition and allow the Bill to be published so that we can have the opinions of the public on it. I do not think the hon. the Minister is afraid of having even this small thing published and discussed unless he is very much afraid of facing public opinion."

* The hon. the RAJA OF PANAGAL :—" Mr President, Sir, the hon. Member for Coimbatore district has characterised the procedure I have adopted in opposing the motion for leave to introduce his Bill as extraordinary and retrograde. He has also quoted instances of leave being granted both in the House of Commons and in the Assembly for the introduction of Bills. I think, Sir, there is no analogy between the instances he has given and the case that is before this House. In the first place, so far as the Hindu Religious Endowments Act is concerned, its validity has been questioned in the High Court."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" By way of personal explanation I may say, Sir, that the very object of my Bill is to admit it. I admit the validity of the Act. I have nothing to do with the question that is pending in the High Court. I do not see why the hon. the Minister should oppose leave being granted owing to the validity of the main Act being questioned in the High Court."

* The hon. the RAJA OF PANAGAL :—" The hon. Member for Coimbatore may admit the validity, but if the High Court gives an adverse decision, this Bill and any labour spent upon it will be wasted labour. Moreover, Sir, the Act was passed only recently and the provisions were brought into effect only a few months back. In fact, the rules which have been framed under some of the provisions have not yet been confirmed. In these circumstances, it is hardly necessary for me to say that leave cannot be granted, that if the leave is given, it will only involve the Government in unnecessary expenditure, and therefore it is that I oppose this motion. Since the hon. Member

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himself stated that this is not the stage when a discussion could be allowed on the merits of the case, I do not wish to enter into those details."

The motion was put and declared lost.

Mr. C. V. Venkataramana Ayyangar demanded a poll, which was accordingly taken and the House divided as follows:—

Ayes.

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| 1. Mr. K. Prabhakaran Tampan. | 14. Mr. P. S. Rajappa. |
| 2. " V. Madhava Raja. | 15. " V. C. Vellingiri Gounder. |
| 3. Rao Bahadur O. M. Narayanan Nambudripad. | 16. " S. Satyamurti. |
| 4. Rao Bahadur C. V. S. Narasimha Raju. | 17. " T. Adinarayana Chettiyar. |
| 5. Mr. C. Ramalinga Reddi. | 18. " P. Anjaneyulu. |
| 6. " J. A. Saldanha. | 19. " C. Maruthavanam Pillai. |
| 7. " A. Ranganatha Mudaliyar. | 20. " V. Pantulu Ayyar. |
| 8. Sriman Niswanath Das Mahasayo. | 21. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 9. Mr. A. Chidambaram Nadar. | 22. Mr. T. M. Narayanaswami Pillai. |
| 10. " M. Gangaraju. | 23. Sriman Sasibhushan Nath Mahasayo. |
| 11. " C. Gopala Menon. | 24. Mr. R. Srinivasa Ayyangar. |
| 12. " K. Koti Reddi. | 25. " K. Uppi Sahib. |
| 13. " S. Muttayya Mudaliyar. | 26. " C. V. Venkataramana Ayyangar. |
| | 27. " Naganna Hogde. |

Noes.

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| 1. The hon. Sir C. P. Ramaswami Ayyar. | 28. Mr. L. C. Guruswami. |
| 2. " Mr. N. E. Marjoribanks. | 29. The Zamindar of Kalikote. |
| 3. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 30. Rao Bahadur K. Krishnaswami Nayudu. |
| 4. " Mr. T. E. Moir. | 31. Mr. J. Kuppuswami. |
| 5. " Diwan Bahadur Sir T. N. Sivagnanam Pillai. | 32. " R. Madanagopal Nayudu. |
| 6. " Rao Bahadur Sir A. P. Patro. | 33. Honorary Lieutenant Madurai. |
| 7. " the Raja of Panagal. | 34. Mr. T. Mallesappa. |
| 8. Mr. T. R. Venkatarama Sastriyar. | 35. " P. N. Marthandam Pillai. |
| 9. " F. B. Evans. | 36. Rao Bahadur B. Muniswami Nayudu. |
| 10. " G. T. Boag. | 37. Diwan Bahadur A. M. Murugappa Chettiyar. |
| 11. " V. Pandrang Rao. | 38. Mr. C. Muttayya Mudaliyar. |
| 12. " F. Noyce. | 39. " B. Obalesappa. |
| 13. " Abdulla Ghatala Sahib. | 40. " K. S. Ponnuswami Pillai. |
| 14. " S. Arpudaswami Udayar. | 41. " P. Sagaram. |
| 15. Rao Sahib T. C. Tangavelu Pillai. | 42. " P. T. Rajan. |
| 16. Captain E. G. Windle. | 43. Rao Bahadur P. Raman. |
| 17. Mr. H. B. Ari Gowler. | 44. Mr. J. D. Samuel. |
| 18. " D. Appavu Chettiyar. | 45. " K. Sarabha Reddi. |
| 19. Raj Bahadur Sir K. Venkatarreddi Nayudu. | 46. " K. Sarvarayudu. |
| 20. Rao Bahadur C. Natesa Mudaliyar. | 47. Rao Sahib R. Srinivasan. |
| 21. Mr. P. K. S. A. Aramuga Nadar. | 48. Mr. K. Sitarama Reddi. |
| 22. " A. V. Bhanoji Rao. | 49. " Chavadi K. Subramanya Pillai. |
| 23. " N. Devendradu. | 50. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 24. Rao Sahib S. Ellappa Chettiyar. | 51. Mr. B. Veerian. |
| 25. Mr. A. Ramaswami Mudaliyar. | 52. " K. Venkatachala Padayachi. |
| 26. Diwan Bahadur P. C. Ethirajulu Nayudu. | 53. " T. M. Moidoo Sahib. |
| 27. Rao Sahib P. V. Gopalan. | 54. " Wahab Sahib. |

27 hon. Members voted *for* the motion and 54 *against* it. The motion was lost.

THE JAIN SUCCESSION BILL

Mr. A. RAMASWAMI MUDALIYAR :—" Sir, may I crave permission to move this Bill in place of Mr. Manjappa Heggade who gave notice of it ? "

* The hon. the PRESIDENT :—" I understand that Mr. Manjappa Heggade has written to say that he would not be present at this meeting, and I think he wanted a postponement of the Bill. "

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Mr. A. RAMASWAMI MUDALIYAR :—" If I may explain the situation, Mr. Heggade has written to me also and he wanted as an alternative to its not being taken up for consideration at this meeting, that it may be postponed to the next meeting so that he may come and move it. But I believe there will not be very much time for taking it up *de novo* at the meeting, and so I have ventured to ask for leave to move it."

* The hon. the PRESIDENT :—" May I ask if the House is willing to allow Mr. Ramaswami Mudaliyar to move the Bill ? "

* Mr. S. SATYAMURTI :—" On a point of order, Sir, I speak, subject to correction, because I have not got the Standing Orders with me just now. But it seems to me there is no provision for Bills being moved by Members other than those who have given notice of them. I would be surprised if there is one. But it seems to me that certainly Bills are matters on which the notice must tell us exactly what the Bill is and by whom it is to be moved."

Mr. C. RAMALINGA REDDI :—" May I say just a word ? I think the motion before the House is not any Bill, but a motion for leave to introduce a Bill, and if one kind of motion could be moved by another Member, I do not see why this motion cannot be similarly moved."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Will there not be a difficulty ? It may be to-day Mr. Ramaswami Mudaliyar moves for leave to introduce the Bill. And to-morrow, the Bill will have to be moved by him. By our giving permission now, we will be permitting Mr. Ramaswami Mudaliyar to introduce the Bill and not Mr. Heggade."

* The hon. the PRESIDENT :—" The motion is that leave be granted to introduce the Jain Succession Bill, but not leave to any particular Member. Will that leave apply only to that particular Member ? "

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I do not think that a permission given to one Member can be utilized by another Member for moving the Bill."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" It seems to me, Sir, that the question may be looked at from two points of view. All that Mr. Ramaswami Mudaliyar now asks is that he might take the place of Mr. Manjappa Heggade in getting permission to have this Bill considered by this Honourable House. That Bill will be placed on the table of the House and I take it that Mr. Manjappa Heggade will, when it is possible for him so to do, take up that Bill and go on with the further consideration of the Bill. On that ground, Sir, and that except for definite reasons we do not oppose the first consideration of any Bill. I have no objection to the permission being given."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" If an analogy can be given, a sanction given by His Excellency the Governor or Governor-General to a Bill for a particular Member was held to be invalid or useless for the purpose of another Member introducing the same Bill. That happened with respect to the Local Option Bill."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" I think if we are going to analogies, we might as well refer to Rule 20-A of the Madras Legislative Council Rules. It reads as follows :—

'(1) No motion, that a Bill be taken into consideration or be passed shall be made by any Member other than the Member in charge of the Bill and no motion, that a Bill be referred to a

[Sir C. P. Ramaswami Ayyar] [10th February 1926]

Select Committee or be circulated or recirculated for the purpose of eliciting opinion thereon, shall be made by any Member other than the Member in charge except by way of amendment to a motion made by the Member in charge.'

"Therefore, the inhibition does not in terms relate to this; because this is not a motion that the Bill be taken into consideration. It is a motion that leave be granted for the introduction of this Bill, as to which you have got certain definite inhibitions. The inhibition made at one stage is not included in the inhibitions at another stage."

4 p.m. * Mr. C. V. VENKATARAMANA AYYANGAR :—"When we look into the Standing Orders, there is no provision for a motion like the one made to-day. Evidently notice must be given and it has been given and it is only when the person gets your leave that he can speak here. Under the Standing Orders, there is no provision for making a motion to-day without previous formalities. The hon. Member must have already given notice. There is no provision either in the Legislative Council Rules or in the Standing Orders for a regular motion being made."

* The hon. the PRESIDENT :—"What about Standing Order 37?"

* The hon. Sir C. P. RAMASWAMI AYYAR :—"It says, if a motion for leave to introduce a Bill is opposed . . ."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"The rule is, 'if a motion', etc. But there is no motion here for leave being given. That must have been already applied for. It is only then, that it comes here. Under the other Standing Orders the Member who wants to introduce a Bill will have to apply for leave to introduce that Bill. It does not contemplate the regular leave to introduce a Bill. It contemplates the giving of a notice to you and the matter then being brought before the Council."

* The hon. the PRESIDENT :—"The hon. Member is contradicting the theory which he enunciated only half an hour ago."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I went through the rules and found there was no provision either way; but I only formally moved it. When the question is now taken up, I simply make this observation."

* Mr. S. SATYAMURTI :—"Your attention has been drawn, Sir, to Standing Order 37. May I draw your attention to Standing Order 56 for purposes of analogy? With regard to resolutions, that Standing Order provides what shall be done in the case of a Member in whose name the resolution stands, if he is absent. That Standing Order says :

'If the Member when called on is absent, the resolution standing in his name shall be considered to have been withdrawn. It shall be open to the Council to allow a resolution withdrawn under clause (1) (a) or deemed to have been withdrawn under clause (2) of this Standing Order to be moved by any other Member.'

"Now, Sir, when in the case of a resolution specific provision like that is made, viz., first of all if the Member is absent it shall be deemed to have been withdrawn . . . , and then it shall be open to the House to allow the motion to be made by another Member. Since no such provision is made in regard to Bills, I submit that there is no power to allow him to make the motion. Apart from that, you will remember, and the House will remember, that when a Member of the Assembly gave notice of a motion for the adjournment of the House and was not in the House when the motion was called on, the President considered it to be want of courtesy on the part of the

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[Mr. S. Satyamurti]

hon. Member due to the House and himself. Unless my hon. Friend from South Kanara has given information about his absence and asked that somebody might be permitted to make the motion, it will not be considered consistent with the dignity of this House and the respect due to you, Sir, if the hon. Member (Mr. Ramaswami Mudaliyar) is allowed now to make the motion."

Mr. A. RAMASWAMI MUDALIYAR :—" I regret that so much objection should be taken at the first reading of the Bill ; because I am connected with it. (Voices : ' No, no. ') If you will be pleased to allow me, and the House will permit me, I might say for the information of the House that Mr Heggade had the consciousness of the responsibilities of his duties to the House."

* The hon. the PRESIDENT :—" As regards the statement that he is wanting in courtesy, I might announce to the House that he has notified that he would be absent from this meeting."

* Mr. S. SATYAMURTI :—" Has he requested you, Sir, that, since his friend is going to make the motion, he will be obliged if you or the House should give the necessary permission ? "

* The hon. the PRESIDENT :—" Mr. Heggade has sent the following telegram : ' Unable to attend Council meeting. Kindly grant permission to move Jain Succession Bill next Council meeting. ' What does he mean, by the next Council meeting ? "

* Rao Bahadur C. V. S. NARASIMHA RAJU :—" Not this sitting."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" So far as this sitting is concerned, it was on the agenda."

Mr. A. RAMASWAMI MUDALIYAR :—" The sin of my having made this motion seems to have raised the wrath of my hon. Friends."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I myself was asked whether I would be willing to move this Bill ; but I doubted whether that would be permissible and therefore I said I could not."

Mr. A. RAMASWAMI MUDALIYAR :—" I will briefly mention the circumstances under which I have ventured to come before this House to make this motion to show that I am not an interloper as my hon. Friends would have it. I sent to the Council Office a copy of an identical Bill and enclosed the sanction which was given by the Governor-General to Mr. Heggade. Your office returned it on the ground that I was not the person and that, therefore, I could not myself introduce a measure. I had taken an interest in this Bill for several months past and I, in consultation with Mr. Heggade, had something to do with this very measure. Thereupon, Mr. Heggade gave notice of this measure and enclosed the sanction which he had received in his name. I had raised a doubt whether it was within the competence of your office to refuse permission to me for leave to move this measure because I had not got that sanction in my name which your office insisted on. Then owing to certain rulings from above, that was the course dictated and therefore I could not introduce the Bill. Now I have instructions to ask for an adjournment or to move it myself. I have consulted other friends and it is only on account of that that I have ventured to ask that I should be permitted by this House to stand in the place of Mr. Heggade and ask the leave of this House to introduce this Bill. It depends upon the House to

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allow it or not. We are very fast coming to the end of non-official days in the lifetime of this Legislative Council and if every opportunity is not taken to introduce measures like this, they will never fructify in the lifetime of this Council. It is only my anxiety, that this measure reaches a stage of finality, that has made me venture to take the place of Mr. Heggade to make this motion."

Mr. C. RAMALINGA REDDI :—"I must repudiate that the point of order had any reference to the personality of the gentleman desiring to make this motion."

Mr. A. RAMASWAMI MUDALIYAR :—"I was not meaning it as a point of order. I was simply meeting the dialectics of certain hon. Friends who raised questions about want of courtesy on the part of Mr. Heggade, etc."

* Mr. S. SATYAMURTI :—"Unless my hon. Friend comes in under the etceteras, I do not know where he comes in at all. I spoke of Mr. Heggade's want of courtesy and nothing more, and I do not know what it is that my hon. Friend comes in except under the etes."

Mr. C. RAMALINGA REDDI :—"So far as the point of order is concerned, I think Standing Order 56 makes this kind of motion being made by proxy applicable only to resolutions and as regards Bills, the rule read out by the hon. the Law Member makes reference to the person in charge of the Bill. It is clear that for various stages only the person in charge of the Bill should make himself responsible and this responsibility could not be transferred to any other. The question for your consideration is who is the person in charge of the Bill? Is it the person who moves for leave to introduce the Bill, or is it any other person? If the person in charge of the Bill is the person who initiates by moving for leave to introduce, then I reluctantly must go back and hold that the hon. Member, Mr. Ramaswami Mudaliyar, cannot move the Bill on behalf of Mr. Heggade."

* Mr. R. SRINIVASA AYYANGAR :—"I should like to draw the attention of this House to Rule 63 of the Legislative Council Instructions, and also to Rule 64 and Rule 87. A reading of all these three rules, necessarily leads one to the conclusion that the Member who desires to move must be the Member who has given notice of his intention to move. It contemplates the sameness of the individual and it emphasizes the fact that the Member who desires to move for leave has to satisfy certain requirements. The other Rule 63 says 'any Member other than a Member of the Government desiring to move for leave to introduce a Bill shall give notice of his intention, and shall, together with the notice, submit to the Secretary to the Council a copy of the Bill and a full statement of objects and reasons.' That has been supplied so far by the Member who is desirous of moving the Bill. When we come to Rule 64, that postulates, 'if a motion for leave to introduce a Bill is opposed, the President after permitting, if he thinks fit, a brief explanatory statement from the Member who moves and from a Member who opposes the motion, may without further debate, put the question thereon: The wording is 'from the Member who moves'. It does not contemplate the possibility of some other Member who has not complied with all the formalities required of him by Rule 63. If we turn to Rule 87, there is a special provision dealing with resolutions. Sub-clause (3) of that rule says: 'It shall be open to the Council to allow a resolution withdrawn under clause (1) (a) or deemed to have been withdrawn under clause (2) of the Standing Order to be moved by

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any other Member'. Sub-clause (2) says, 'if the Member when called on is absent, the resolution standing in his name shall be considered to have been withdrawn.' There is no such provision conferring a similar privilege in the case of the Bills. And in view of the fact that Rule 63 requires certain formalities and in view of the interpretation which Rule 64 conveys, it seems to me, Sir, that both the gentlemen must be the same and it is not open to one who has not complied with all the formalities, rightly or wrongly, we do not care, it is not open to that gentleman, when the original mover is absent, nor is it open to any other Member taking advantage of the absence, to ask the leave of the House to step in his place."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I to continue the analogy, Mr. M. Ramachandra Rao actually asked me to use his sanction for the Local Option Bill and it was held by the hon. the Advocate-General that it could not be used by any other Member than the one to whom it was given."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—" From what has already been stated by Mr. Ramaswami Mudaliyar it is clear that your office has treated the sanction given as a personal privilege, because the leave to introduce granted by His Excellency the Governor-General cannot be utilized by another Member. Now, I wish to know what is the position which Mr. Ramaswami Mudaliyar now occupies. Does he move the proposition that leave to introduce shall be granted to him or leave shall be granted to Mr. Heggade? If Mr. Heggade is present in the House and he makes the motion, that leave is to be given to him, it becomes a personal leave granted to him by this House. If Mr. Ramaswami Mudaliyar now moves a motion that leave be granted, it must be a leave granted to Mr. Ramaswami Mudaliyar and he cannot move such a proposition because there is not the previous sanction of His Excellency the Governor-General.

" Regarding the other aspect of the question, I may say that he cannot move a proposition to the extent of asking for the leave of this House to introduce the Bill of Mr. Manjappa Heggade; because such a thing is not contemplated regarding the introduction of Bills. 4-15 P.m.

" The second difficulty that I feel is this: Suppose leave is granted indefinitely without meaning anything whether A or B should introduce it. To-morrow, two individuals get up and say that each one has been granted permission to introduce the identical Bill. Are you going to allow both to introduce the same Bill at the next sitting? I think this leads to unnecessary difficulty. I think the very express provision made regarding the moving of resolutions in the absence of the person in whose name they appear on the agenda clearly indicates that such a thing is not contemplated with regard to Bills. And again, in regard to a resolution moved in the House, the moment it is moved, it becomes the resolution of the mover and the Council can debate on it. In the case of Bills, there are various stages and I do think if you now permit such a motion it will lead to greater complications in future."

* The hon. the PRESIDENT :—" I must express my thanks for the enlightenment afforded by various Members of the House in regard to this matter. There are two alternative considerations which might be borne in mind in regard to a decision on this question. If a motion for leave to introduce a Bill is considered to be a mere formal matter, then, certainly I think I would have no objection to asking the House to express its mind on the matter. But, curiously enough, Members who have always held that a motion for

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leave to introduce a Bill is a formal matter have opposed the transference of this motion from Mr. Manjappa Heggade to Mr. Ramaswami Mudaliyar. But, I have always held that according to the Standing Orders as they exist now, a motion for leave to introduce a Bill is not a mere formal motion. The analogy of the House of Commons does not apply at all, because, there, they have two Chambers and they have a larger number of stages than we have. I do consider, therefore, that a motion for leave to introduce a Bill is a very essential part of legislative procedure and, therefore, as Bills are much more important than resolutions and are different from resolutions, I think I will hold that the Member who has given notice of the motion for leave to introduce a Bill must also ask for that leave personally."

THE MADRAS ELEMENTARY EDUCATION BILL.

* Mr. J. A. SALDANHA :—" Mr. President, my misfortune is that no copies of this Bill have been distributed by me to my friends and I have only one with me now. Therefore I have to place the bare features of the Bill before the House now and I crave the indulgence of the House for doing so. I may be allowed to read the Bill as hon. Members do not know the contents of it." (Laughter.)

* The hon. the PRESIDENT :—" Then, why proceed with it at all ? "

* Mr. J. A. SALDANHA :—" I shall place the contents of the Bill before the House."

* The hon. the PRESIDENT :—" I hardly think it is fair to the House to ask it to consider a Bill the contents of which the hon. Member is going to fling at hon. Members across the floor of the House. I would ask him to consider whether it is fair to the House to ask them to express their opinion on a Bill the contents of which have not been made known to them."

* Mr. J. A. SALDANHA :—" I have only come to ask permission to introduce a Bill the principles of which I ask the House to accept. I expected that this would have been published as part of the agenda for this meeting, but I understood only this day afternoon that it has not been printed as part of the agenda "

* The hon. the PRESIDENT :—" Will the hon. Member just give a few salient ideas of the Bill ? I would also point out to him in this connexion that it is the general wish of the House that we should adjourn at half past four."

* Mr. J. A. SALDANHA :—" In that case the only thing I can do is to ask the leave of the House to have this postponed to the next meeting."

* The hon. the PRESIDENT :—" The hon. Member need not move it at all."

* Mr. J. A. SALDANHA :—" I do not move it now."

* The hon. the PRESIDENT :—" I think we will adjourn now."

* Mr. A. RANGANATHA MUDALIYAR :—" Resolutions, Sir ? If they are simply moved they may be considered later on."

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B.—MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

TRANSFER OF THE ORIYA-SPEAKING PORTIONS OF GANJAM AND JEYPORE AGENCY TO THE ADMINISTRATION OF BIHAR AND ORISSA.

Sriman SASIBHUSHAN RATH Mahasayo :—

- " 1. *That this Council recommends to the Government that they be pleased to take such steps as may be deemed necessary to give effect to the desire of the Oriyas of this Presidency to transfer the Oriya-speaking portions of Ganjam and Jeypore Agency to the administration of Bihar and Orissa* "

The hon. the PRESIDENT :—“ I have to announce that the first resolution on the agenda, viz., that of Sriman Sasibhushan Rath Mahasayo, has been disallowed by His Excellency the Governor under rule 22 (1). We will, therefore, take up the next one.”

COMPENSATION ALLOWANCE TO NON-GAZETTED OFFICERS IN COSTLY PLACES.

* Rao Bahadur C. NATESA MUDALIYAR :—“ I beg to move—

- " 2. *That this Council recommends to the Government that an adequate allowance be granted to all non-gazetted officers stationed in costly places like the city of Madras and Madura* "

“ Sir, I moved a similar resolution about four years ago in this House and that resolution was lost. I was made to understand by Sir Charles Todhunter on that occasion that efforts were being made to satisfy the non-gazetted officers. He said that there was a scheme under which non-gazetted officers were proposed to be given some amount of money for building suitable houses. As time is pressing, I formally move it.”

Mr R. MADANAGOPAL NAYUDU :—“ I second it.”

* The hon. Mr T. E. MOIR :—“ Mr President, it is rather difficult to deal with a resolution which has not been supported by arguments.”

* Rao Bahadur C. NATESA MUDALIYAR :—“ For want of time (laughter).”

* The hon. Mr T. E. MOIR :—“ My real difficulty in dealing with this motion is that no grounds have been put forward in support of it and if that had been done, it would have been easy for me to deal with it on its merits. Now I do not think I need say more than this: that this question of allowances is one which was very carefully gone into by the Retrenchment Committee and that Committee considered all the inequalities and extravagances which had grown up in connexion with this question of allowances. And, with reference to these considerations, they fixed a scale of allowances appropriate to the needs of certain expensive localities. I may say, therefore, that this resolution if carried would go against the recommendations of the Retrenchment Committee.

“ I need only add that in the absence of any statement by the hon. Mover as to why Madura in particular should be added to the list of places entitled to allowance, I am unable to say anything with reference to that point. As far as I am aware, there is no reason why allowance should be allowed to Madura in particular any more than to any other mufassal

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centre. The existing scale of allowance has been carefully fixed and so I see no reason to go back upon the recommendations of the Retrenchment Committee which has fully considered the whole question."

Mr. C RAMALINGA REDDI:—"Mr. President, I move that the consideration of this resolution be postponed till the next meeting. It would be a very bad day for the Council if we vote upon resolutions without adequate debate. We may carry them, but I do not think they would have much moral weight with the public. I therefore ask my hon. Friend Mr. Natesa Mudaliyar to agree to his motion being adjourned to the next non-official day."

* Mr. R. SRINIVASA AYYANGAR:—"I second it."

The motion for adjournment of the resolution was put and carried.

ENHANCED RATES OF RE-SETTLEMENT NOT TO BE APPLIED TO
FASLI 1334 (1924-25) IN BELLARY DISTRICT.

* Mr. A. RANGANATHA MUDALIYAR:—"I beg to move—

'3 That this Council recommends to the Government that the enhanced rates of land assessment in the Hospet, Hadaquah, Harpanahalli, Rayadrug and Kudhgi taluks of Bellary district should not be applied to fasli 1334 (1924-25)'

"The facts of the case are briefly these: I am not in this resolution objecting to the rates of assessment, but I do take strong objection to their application with retrospective effect. The orders were passed late after the settlement of the taluks and after the collection season was over. Further, seasons for the three or four years preceding the order were bad. For these reasons, I suggest that these rates should not be applied with retrospective effect."

Mr. S. MUTTAYYA MUDALIYAR:—"I second it."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, before the hon. the Revenue Member replies I want to move the adjournment of the House. I think that if at half past four, resolution after resolution is moved and adjourned, there will be no resolution at all for balloting for the next meeting. I think you said that it was the general wish of hon. Members that we should adjourn at 4-30 and our Muhammadan friends evidently want an adjournment. I therefore formally move that the business of the House be adjourned."

Diwan Bahadur P. KESAVA PILLAI:—"It would be better if the hon. the Revenue Member replies. Then we will know where we are."

* Mr. S. SATYAMURTI:—"I do not think there is any difference because, if the House is adjourned, this business will have to be taken to the next non-official day."

The House adjourned at 4-32 p.m. to meet again at 11 a.m. on Friday.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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APPENDIX I.

[Vide answer to question No. 1340 asked by Mr. M. Krishnan Nayar at the meeting of the Legislative Council held on the 10th February 1926, page 284 *supra*.]

Letter from the Collector of Malabar, Calicut, No. Cl. 9798/25, dated 25th November 1925.

[Cyclone—Malabar district—Damages.]

I am now in a position to give Government some account of the cyclone to which I referred in my telegrams of the 13th and 21st November 1925 and of the loss which it caused to life and property

2. The storm began about midnight of the 10th and 11th and lasted, with a short lull at daybreak, until about 8 a.m. on the 11th. By land the range of the storm was along the coast from Badagara to Cannanore, and inland a distance of about twenty miles. In the coastal area, a great number of trees were uprooted or smashed and thatched roofs were blown away. Some houses were damaged by the fall of trees. Tellicherry appears to have been the worst sufferer. In this town and its neighbourhood traffic was completely disorganized by fallen trees, and telegraphic communication was interrupted for two days. In land the effects of the storm were seen chiefly in the damage suffered by plantain gardens. The losses are widely distributed and have not caused any serious distress. The damage to public works and buildings is not great. The temporary bridge at Iritti was washed away on the night of the 11th and communication with Coorg is again interrupted. Only one death by land directly attributable to the storm has been reported.

The rainfall recorded in Tellicherry during the period of the storm was 7.35 inches and in Badagara 6.20 inches

3. At sea the course of the storm appears to have been northerly or north-westerly and to have extended from Cochin to Cannanore. The centre of the storm seems to have been in the latitude of Tellicherry and it is off that part of the coast that most of the casualties occurred. Survivors report that their boats were lifted bodily from the sea in a whirlwind and then dashed again into the water. The loss of life at sea was, I regret to say, very heavy, heavier indeed than I had at first been led to believe. The latest reports show that 83 fishing boats with 187 men are missing. Ponnani taluk alone accounts for 37 boats and 90 men (Ponnani town, two boats and ten men, Tanur, 35 boats and 80 men). From the Kottayam taluk 40 boats and 82 men are missing and from the Chirakkal taluk four boats and seven men. In addition to these, 25 large sailing craft ('manchis' and 'pattamars') with 79 lives, are said to have been lost. Three pattamars were rescued with slight damage.

Particulars of the number, and the fate of the crew of four 'manchis' are still not known. The S.S. 'Jalavayaji' rescued four men and the S.S. 'Philadelphia' five, and took them to Mangalore. I presume that the good services of the masters of these vessels will be brought to the notice of Government by the Collector of South Kanara.

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The total number of men who were at sea on the night of 10th November 1925 and are still not accounted for is 266, of whom 187, as stated, are fishermen. Rescues have already been reported from remote places and rumour has it that some shipwrecked persons have been landed at Colombo. It is not impossible that some may have found their way to the Laccadives.

4. I find that all the ports cautionary signals were hoisted from the 7th to the 9th and warning signals from the 9th to 13th November and that the fishermen who went to the sea at those ports did so either in spite of the signals or in ignorance of them. It appears that many fishermen do not even know the significance of these signals. I am suggesting to the Director of Fisheries that his subordinate officers should make a special effort to explain to fishermen the meaning of the various port signals.

5. I am glad to report a gratifying exhibition of practical sympathy with the sufferers on the part of the public generally. In Cannanore the local merchants and boat-owners helped the rescued boatmen with food, clothes and money. Some were immediately sent to hospital, and, so far as is known, only one death has occurred amongst the rescued. In Tellicherry a public meeting was held and about Rs. 280 were collected for the relief of distress. I sanctioned a small sum from the Board's reserve in anticipation of the Board's approval. Subsequently the Working Committee of the Malabar Floods Relief Committee voted a sum of Rs. 2,000 for relief work and is prepared to vote more, if more is urgently required. The distress is very real and widespread. In the Kottayam taluk alone nearly 100 families are left fatherless or have lost their breadwinner; I still await details from Ponnani and other taluks. I have issued instructions to the Divisional Officers to carry on the work of distributing money grants for subsistence with the utmost expedition. Voluntary agencies are also assisting in the work.

6. I am investigating the possibility of organizing a system of more lasting relief than any that has been attempted so far; my idea is that it should take the form either of contributions towards new boats and nets for survivors who have lost their boats or of grants to the various co-operative societies of fishermen along the coast, or, in the last resort, of grants to bereaved families of lump sums of money to be distributed in instalments over a limited period. The first of the three measures named presents one real difficulty. The greater number of the boats lost belong to the employers of the fishermen and it will not be possible, or indeed reasonable, to include this class in the scope of public charity. The second course, which the Director of Fisheries has urged, is more hopeful. Both this and the last of the three measures named are, I realize, of an altogether unusual character, but are justified, I consider, by the circumstances of this quite exceptional calamity. A public meeting to raise funds for the further and more permanent relief of distress is being held on Monday next in Calicut, at which I shall have an opportunity of explaining the measures which are proposed. Donations have already been most gratefully received from His Excellency the Governor and from the Hon'ble Sir C. P. Ramaswami Ayyar, and other subscriptions have been promised. His Excellency's message of sympathy has been conveyed in writing, and in some cases by the Divisional Officer, Tellicherry, in person to the distressed families; it was also read out at a public meeting at Tellicherry and was, I understand, deeply appreciated.

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AT SEA.

Fishing boats lost

94 boats—223 men.

Pattamars and manchis belonging to this district— 21 boats lost
and 3 boats rescued but damaged.

Particulars of crew—
17 boats—42 men lost

And cargo in the 21 boats lost—
5 boats—had cargo valued at
Rs 36,420.
12 boats—had no cargo
4 boats—value of cargo not known.

4 boats—particulars of men lost not
known.

Particulars of crew—

3 boats— 6 men lost

And cargo lost in the rescued 3
boats—
2 boats—cargo worth Rs. 5,240.
1 boat—value of cargo not
known.

Pattamars and manchis not belonging to this district—6 boats lost
and 3 boats rescued

Particulars of crew—
6 boats—16 men lost

And cargo in the 6 boats lost—
2 boats—no cargo.
2 boats—2,001 bags of rice.
2 boats—particulars not known

Particulars of crew —

3 boats—10 men lost

And cargo lost in the 3 boats
rescued—
Value of cargo in the 3 boats not
known.

In addition, two dead bodies were washed ashore and one died after he was
brought ashore.

Island boat (Laccadives).

Particulars of crew —
1 boat with 18 men missing.

And cargo lost —
Value of cargo not reported.

BY LAND.

Seven men died and 16 sustained injuries

Damages to property.

Chirakkal and Kottayam taluks.

Damage estimated at Rs 75,000
approximately).

Kurumbranad taluk

22 head of cattle ; 307 houses wholly
destroyed and 477 partially
destroyed.

A very large number of trees, mostly coconuts, destroyed The local
estimate of the damage under this head is approximately Rs. 2 lakhs.

[10th February 1926]

APPENDIX I-A.

[Vide answer to question No. 1340-A asked by Mr. V. Pantulu Ayyar at the meeting of the Legislative Council held on the 10th February 1926, page 286 supra.]

Statement showing the quantity of rainfall at the several authorized rain registering stations in Tanjore district for the week ending 30th January 1926.

Rain registering stations.	Quantity in inches.	Rain registering stations.	Quantity in inches.
1. Shiyali ...	9.50	16. Nidamangalam ...	6.26
2. Neidavasal ...	9.80	17. Papanasam ...	7.71
3. Tranquebar ...	5.73	18. Tiruvadi ...	5.64
4. Mayavaram ...	8.98	19. Tirukattuppalli ...	3.65
5. Kumbakonam ...	10.11	20. Tanjore ...	4.39
6. Valangiman ...	8.33	21. Vallam ...	3.55
7. Kudavasal ...	9.26	22. Pattukottai ...	2.84
8. Nannilam ...	9.76	23. Adirampatnam ...	No report.
9. Tiruvalur ...	9.46	24. Kattumavadi ...	3.01
10. Negapatam ...	6.54	25. Arantangi ...	2.35
11. Tirupundi ...	5.89	26. Grand Anicut ...	2.68
12. Vedaranniyam ...	No report.		
13. Tirutturaipundi ...	8.73		
14. Mutupet ...	4.65		
15. Maunargudi ...	5.94		
		Average ...	6.45

APPENDIX II.

[Vide answer to question No. 1347 asked by Mr. V. C. Vellingiri Gounder at the meeting of the Legislative Council held on the 10th February 1926, page 295 supra.]

Proceedings of the Chief Conservator of Forests, Mis. No. 14, dated 19th January 1922.

S. Cox, Esq., C.I.E., I.F.S.,
Chief Conservator of Forests.

Reference from Government—Endorsement No. 2832-I-21-1,
dated 23rd December 1921.

[Memorial—Ryots of the Tambraparni valley, Tinnevely—
Orders passed.]

The petitioners are informed that the Chief Conservator has studied their memorial and that they are under a complete misapprehension as to the facts,

10th February 1926]

Should the Government decide to develop the Tinnevelly forests in the Agastiar Hills in the manner proposed by the Chief Conservator, the arrangements cannot possibly have the results expected by the memorialists so far as the water-supply is concerned.

2. The memorialists may not be aware that forestry is concerned throughout the civilized world not with the destruction of forest but with its improvement and that the aim of the Forest department is not to destroy the Agastiar Hill forests but to manage them for the permanent benefit of the State generally and for the benefit of the Tinnevelly district in particular.

3. At present these forests contain large supplies of timber and firewood which are only rotting in the forest while towns within reach of these forests cannot obtain either except at high prices. The forests also contain a very large proportion of worthless trees which could and should be replaced by valuable ones.

The Chief Conservator desires not only to supply very large quantities of timber and fuel to the surrounding country, but in doing so to replace the inferior forest now standing by a much more valuable forest of trees of better species grown under proper silvicultural methods.

The process will be gradual and the present standing forest can only be removed as the young forest beneath it is established. There is therefore no intention whatever of destroying the present forest but its improvement is desired.

4. If the memorialists have any fear of the Forest department's intentions they are advised to arrange with the Conservator or the District Forest officer for a personal inspection at which the proposed methods of treatment will be explained to them in the forest by a forest officer. This explanation cannot be given by letter but the local forest officers will have great pleasure in explaining the scheme to any one interested, or the memorialists may perhaps accept the statement of the Chief Conservator that no professional forest officer would advise the Government to do any injury to a forest. His whole life is spent in trying to persuade people who do not know the value of forests that forest destruction is diametrically opposed to the welfare of the people, especially in a hot country like India.

S. Cox,
Chief Conservator.

To the memorialists.

Copy to the Conservator of Forests, Fifth Circle, with copy of memorial.

[10th February 1926]

APPENDIX III.

[Vide answer to question No. 1348 asked by Mr. P. C. Venkatapati Raju at the meeting of the Legislative Council held on the 10th February 1926, page 295 supra.]

(i)

Statement showing the total Revenue and Expenditure figures for 1924-25 (Revised Estimate) and 1925-26 (Budget) as presented to the Legislative Council in March 1925 and as finally fixed.

(1)	As presented to the Council in March 1925.		As finally fixed.	
	Revised Estimate, 1924-25. (2)	Budget Estimate, 1925-26. (3)	Revised Estimate, 1924-25. (4)	Budget Estimate, 1925-26. (5)
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
(A) Revenue	1,631.07	1,651.79	1,631.07	1,651.79
(B) Expenditure	1,651.43	1,719.88	1,672.94	1,622.21
Surplus (plus) or Deficit (—) (A) minus (B).	— 20.36	— 68.09	— 41.87	+ 29.58

Note—(A) *Revenue*—The Budget Estimate for 1925-26 includes, both on the Revenue and Expenditure sides, a sum of 13.35 lakhs representing the cost of excise opium due to a change in the method of accounting as explained in paragraph 21 of the budget memorandum for 1925-26. Deducting this sum, the net increase in the Budget Estimate for 1925-26 over the Revised Estimate for 1924-25 is 7.37 lakhs.

(B) *Expenditure*—(1) *Revised Estimate* for 1924-25.—To the figure entered in the Civil Budget Estimate as presented to the Council was added a sum of 21.51 lakhs representing non-voted charges for the repayment of debt.

(2) *Budget Estimate* for 1925-26.—The following alterations were made in the figure presented to the Legislative Council :—

	LAKHS.
(i) As presented to the Legislative Council	1,719.88
(ii) <i>Add</i> : Repayment of debt transferred to Revenue Account (Non-voted)	29.44
(iii) <i>Deduct</i> : Reductions made by the Council	— 1.09
(iv) <i>Deduct</i> : Remission in the Provincial contribution	— 126.02
As finally fixed	1,622.21

(ii)

Statement showing the increase in Expenditure in Transferred departments in the Budget for 1925-26 over the Revised Estimate for 1924-25.

Head of account.	Amount. LAKHS.	Head of account.	Amount. LAKHS.
6. Excise	+ 4.94 *	37. Miscellaneous Departments	— 2.02 †
9. Registration	+ 1.54	41. Civil works	+ 2.98
22. General Administration	+ .23	46. Stationery and Printing	+ .19
30. Scientific Departments	— .23	47. Miscellaneous	— 1.27 ‡
31. Education	+ 12.63		
32. Medical	+ .88	Total	43.31
33. Public Health	+ 19.30		
34. Agriculture	+ 2.58		
35. Industries	+ 1.56		

* After deducting 13.35 lakhs for the cost of excise opium.

† The decrease is due to the fact that the Revised Estimate for 1924-25 included 2.07 lakhs on account of the British Empire Exhibition.

‡ The decrease occurs under Contributions to local and municipal funds in aid of their general balances.

10th February 1926]

APPENDIX IV.

[Vide answer to question No. 1354 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 10th February 1926, page 301 supra.]

*Extract from the Proceedings of the Municipal Council, Tuticorin,
passed at its meeting held on Friday the 7th December 1923
at 6 p.m. in the Municipal office.*

* * * * *

8. Report of the Sub-Committee appointed in M.C.R. No. 21, dated 19th October 1923, regarding the claim of the Goa Mission church to the lands within their church compound.

Proposed by Mr. Chelliah David "that the vacant land around the Goa Mission church is not a public street and is not vested in the municipality and that the municipality is not entitled to levy licence fee."

Seconded by Mr. Victor Fernando.

For.

- | | |
|--------------------------------------------|----------------------------------------|
| 1. Mr. Chelliah David | 6. Mr. E. A. Rubin. |
| 2. " Victor Fernando. | 7. " S. K. M. Shahul Hamid Marakkayar. |
| 3. " J. D. Appadurai. | 8. " V. Kanniram Pillai. |
| 4. " J. L. P. Roche Victoria. | 9. " A. R. A. S. Kandaswami Nadar. |
| 5. " Joseph Thalaivar Asirvatham Pandiyan. | 10. " P. Vanniasperumal Nadar. |

Against.

- | | |
|---------------------------------|------------------------|
| 1. Mr. S. C. Subramania Pillai. | 2. Mr. Cruz Fernandez. |
|---------------------------------|------------------------|

Neutral.

- | | |
|-------------------------------------|---------------------------------|
| 1. Chairman. | 4. Mr. Caitan Villavarayar. |
| 2. Mr. Samuel Rajakunjara Nadar. | 5. " P. S. R. Koodalinga Nadar. |
| 3. " S. S. V. M. P. Krishna Pillai. | 6. " I. Sooriamoorthis Pillai. |

Fees levied will be cancelled.

S. V. NALLAPERUMAL PILLAI,
Chairman.

Proceedings of the Tuticorin Municipal Council passed at its meeting held in the Municipal office on Friday the 3rd April 1925 at 6 p.m. in the Municipal office.

PRESENT:

- | | |
|-------------|--------------------------------------------------|
| 1. M.R. Ry. | Rao Bahadur Cruz Fernandez Avargal in the Chair. |
| 2. " " | A. R. A. S. Arumugaswami Nadar Avargal. |
| 3. " " | P. V. Kuttalalingam Pillai Avargal. |
| 4. " " | A. A. Alagiri Chettiyar Avargal. |
| 5. " " | S. K. M. Shahul Hamid Marakkayar Avargal. |
| 6. " " | P. S. R. Koodalinga Nadar Avargal. |
| 7. " " | Victor Fernando Avargal, B.A. |
| 8. " " | Chelliah David Avargal. |
| 9. " " | Joseph Thalaivar Asirvatham Pandiyan Avargal. |
| 10. " " | S. Kumaraswami Pillai Avargal, B.A. |
| 11. " " | A. R. A. S. Kandaswami Nadar Avargal. |

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12. Mr. G. T. Jacob.
13. M.R.Ry. S. Subban Achari Avargal.
14. „ S. Tangiah Maistriar Avargal.
15. „ Rao Sahib Caitan Villavarayar Avargal.
16. „ P. S. Kandaswami Pillai Avargal, B.A., B.L.
17. „ J. L. P. Roche Victoria Avargal.

2. (a) G.O. Mis. No. 904, L. & M., dated 18th March 1925, informing that it is not the function of the Municipal Council to settle the claims of Government and the Portuguese Mission in regard to the proprietary rights to the Periakoil street land within the Mission compound, and cancelling; therefore, under section 36 (1) of the Act, the Council's resolution, dated 7th December 1923, in the matter; also observing that the expenditure incurred by the Council in conserving and lighting the street in question after the passing of the above resolution is surchargeable on the Council.

Proposed by Mr. Chellia David and seconded by Mr. Victor Fernando—

1. “ That the Government be informed—

(a) that they have misconstrued the resolution of the Council passed on 7th December 1923 in respect of the vacant land around the Goa Mission church :

(b) that the Municipal Council neither intended nor professed to settle in their resolution any claims of the Government and of a private institution in regard to the proprietary rights of any street, and that they therefore did not act in excess of their powers ;

(c) that they have described the land in question not as any street, but as a vacant land ;

(d) that it is not correct to say that the Council in their resolution, declared the vacant land to be a private street ;

(e) that all that was meant by the Council in their resolution really was *that the vacant land was not vested in the Council* under section 61 of the Act, not being a public street as defined in section 3 (21) of the Act, so that the Council may exercise powers of control over it under section 362 of the Act ;

(f) that it is not correct to say that the Council waived any right, inasmuch as no right had previously vested in them or had been acquired by them in respect of the vacant land ;

(g) that in order to obviate any misconstruction of the resolution, the Council delete the words ‘ *is not a public street and* ’ out of the wording of the resolution of 7th December 1923 ;

(h) and that the Government are not right in holding that the Council professed to settle the claims of Government (etc.) and are not therefore justified in cancelling the resolution.

2. And that in the light of the above facts the Government be requested to revise their orders.”

At this stage Rao Bahadur Cruz Fernandez vacated the Chair and at his request Mr. S. K. M. Shahul Hamid Marakkayar occupied the Chair.

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Mr. C. T. Jacob proposed and Mr. Joseph Thalaivar Asirvatham Pandian seconded the following amendment:—

“The Government Order is recorded and the vacant land around the Goa Mission Church is not vested in the Municipality and that the Municipality is not entitled to levy licence fee for the occupation of the land.”

Rao Bahadur Cruz Fernandez opposed the amendment.

Mr. Chelliah David withdrew his proposition in favour of the amendment. The amendment was therefore put to the vote and carried, 11 voting for, one against and the rest remaining neutral.

A poll was demanded by Rao Bahadur Cruz Fernandez and was taken with the following results:—

<i>For.</i>	
1. Mr. P. S. R. Koodalinga Nadar.	8. Mr. Chelliah David.
2. „ Victor Fernando.	9. „ P. S. Kandaswami Pillai.
3. „ J. L. P. Roche Victoria.	10. „ A. R. A. S. Arumugaswami Nadar.
4. „ S. Kumaraswami Pillai.	11. „ S. S. Subban Achari.
5. „ C. T. Jacob.	12. „ A. R. A. S. Kandaswami Nadar.
6. „ A. A. Alagiri Chettiyar	
7. „ Joseph Thalaivar Asirvatham Pandian.	
<i>Against.</i>	
1. Rao Bahadur Cruz Fernandez.	
<i>Neutral.</i>	
1. Rao Sahib Caitan Villavarayar.	3. Mr. P. V. Kuttalalingam Pillai.
2. Mr. S. Tangiah Maistriar.	4. „ S. K. M. Shahul Hamid Marakkayar.
* *	* *

CRUZ FERNANDEZ,
Presiding Officer.

Letter from M.R.Ry. Rao Bahadur Cruz Fernandez, Member of the Municipal Council, Tuticorin, to the Chairman, Municipal Council, Tuticorin, dated the 8th December 1923.

With reference to the Council's resolution on subject No. 8, as per agenda of the last night's meeting regarding the claim of the Municipality for more than Rs. 200, being licence fees for the storage of building materials in the public streets around the Goa Mission Church in Periakoil street and the claim of the authorities of the above church that the land in question was the private property of the church, I dissent for the following reasons:—

1. The streets round the church in question are public from time immemorial.

2. The judgment on O.S. No. 13 of 1874 of the Subordinate Court of Tuticorin clearly proves that the streets are public streets.

3. The proceedings of the Municipal Council in November and December 1873, which are now in the records of the Municipality, show that the said streets are public.

4. The street survey records and the town survey records, which have been declared as final and which are the guides for the Council, prove that the streets in question are public.

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5. The Municipality has been enjoying its undisturbed rights of lighting, sweeping and scavenging the streets and the house which are in the three sides of the streets.

6. Fees have been collected by the Municipality for storing building materials, etc., and putting up marriage pandals, etc., from the owners of the houses in the said streets and one Maria Michael Motha, owner of house No. 38 in the said street, is still paying land tax to Government under a patta for a flight of steps which are outside the regular line as per street survey records.

With the above facts and figures before the Municipal Council, it is beyond comprehension that the Council should pass a resolution by a majority that the streets are not public, vested with the Municipality.

7. It is also curious that the Chairman, who explained on the outset to the Council basing on the records which he had that it had no power to set aside the demarcation made by the survey officer, should have remained neutral when the question was ballotted for.

Letter from M.R.Ry. Rao Bahadur Cruz Fernandez, M.L.C., Municipal Councillor, Tuticorin, to the Collector of Tinnevely, dated 5th April 1925 (11-15 a.m.).

I have the honour to submit my minute of dissent to the Council's resolution of 3rd April 1925, passed on the G.O. Mis. No. 904, L. & M., dated 18th March 1925, cancelling the Council's resolution of the 7th December 1923, under section 36 (1) of the Municipal Act. The Council has recorded the Government Order but at the same time it has passed a fresh resolution modifying its previous resolution by merely omitting the words "is not a public street and" without giving due consideration to the general issue raised in the Government Order, viz., that the Council has no power to determine the proprietary right to a land between Government and a private party. The resolution as now modified by the Council would read as follows :—

"The vacant land around the Goa Mission Church is not vested in the Municipality and the Municipality is not entitled to levy licence fees for the occupation of the land."

This resolution is, in substance and effect, the same as the original resolution of December 1923. Its meaning is in no way different from the original one, which the Government have cancelled as being illegal. By doing so, the Council has again assumed the function which it has not got, as pointed out by the Government Order in question and has decided that the land around the Church is "not vested" in the Municipality.

Under section 61 of the Municipal Act, all "public" streets are vested in the Municipality. When a certain street is said to be "not vested", it amounts to saying that the street is "not a public street". The street around the Goa Mission Church is described in the revenue, street, and town surveys as a public street, apart from other public records and documents describing its public character, and, as such, it is vested in the Municipality. By declaring it as "not vested" in the Municipality, the Council has virtually decided that it is "not a public street" and has once more gone

THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 12th February 1926.

The House met at 11 o'clock, with Mr. President (the hon Mr. M. RUTHNASWAMY, M.A., Barr-at-Law) in the chair.

PRESENT :

- Ramaswami Ayyar, K.C.E., The hon. Sir J. P. Marjoribanks, C.S.I., C.I.E., The hon. Mr. N. E. Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad Moir, C.S.I., C.I.E., The hon. Mr. T. E. Raja of Panagal, The hon. the Patro, Kt., The hon. Rao Bahadur Sir A. P. Sivagnanam Pillai, Kt., The hon. Diwan Bahadur Sir T. N. Abbas Ali Khan, Mr. Abdul Wahab Sahib, Mr. M. Abdulla Ghafala Sahib, Mr. Adinarayana Chettyar, Mr. P. Anjineyalu, Mr. P. Appavu Chettyar, Mr. D. Ari Gowder, Mr. H. B. Arpudaswami Udayar, Mr. S. Arumuga Nayar, Mr. P. K. S. A. Bhanoji Rao, Mr. A. V. Bisanath Das Maha ayo, Srinan. Boag, Mr. G. T. Chidambara Nadar, Mr. A. Cruz Fernandez, Rao Bahadur. Davis, Mr. J. A. Elappa Chettyar, Rao Sahib S. Ethimajulu Nayudu, Diwan Bahadur P. C. Evans, C.S.I., Mr. F. B. Gangaraja Mr. M. Ghonce Min Sahib, Mr. Muhammad. Gopala Menon, Mr. C. Gopalan, Rao Sahib P. V. Gopalaswami Ayyangar, Rai Bahadur N. Guruswami, Mr. L. C. Haji Qasim Sahib Bahadur, Khan Bahadur Haji Abd-ul-Jah. Hegde, Mr. Naganna. Kesava Pillai, C.I.E., Diwan Bahadur P. Khadir Mohiddin Eliyas Khan Sahib, Mr. Khalif ul-Jah Sahib Bahadur, Khan Bahadur P. Koti Raddi, Mr. K. Krishnan Nayar, Diwan Bahadur M. Krishna Rao Pantulu, Rao Bahadur A. S. Krishnaswami Nayudu, Rao Bahadur K. Kuppaswami, Mr. J. MacDonagall, Kt., Sir Alexander. Madanagopal Nayudu, Mr. R. Madhava Raja, Mr. V. Madurai, Hony. Lt. Mallesappa, Mr. T. Marakkayar Sahib Bahadur, Khan Bahadur V. Hamid Sultan. Marthandam Pillai, Mr. P. N. Maruthavanam Pillai, Mr. C. Moidu Sahib, Mr. T. M. Muniswami Nayudu, Rao Bahadur B. Murugappa Chettyar, Diwan Bahadur A. M. Muttayya Mudaliyar, Mr. O. Muttayya Mudaliyar, Mr. S. Narasimha Chari, Rai Bahadur T. M. Narasimha Raja, Rao Bahadur C. V. S. Narayanan Namudiripad, Rao Bahadur O. M. Narayanaswami Pillai, Mr. T. M. Natesa Mudaliyar, Rao Bahadur C. Noyce, C.S.I., C.I.E., I.C.S., Mr. F. Obalesappa, Mr. R. Pandrang Row, Mr. V. Pantulu Ayyar, Mr. V. Ponnuswami Nayudu Mr. C. Ponnuswami Pillai, Mr. K. S. Prabhakaran Tampin, Mr. K. Raghuechandra Ballal, Mr. K. Raja, Rao Bahadur M. C. Raja of Rannad. Rajan, Mr. P. T. Rajappa, Mr. P. S. Ramachandra Reddi, Mr. B. Ramani, Rao Bahadur P. Ramalinga Chettyar, Rao Bahadur T. A. Ramalinga Reddi, Mr. C. Ramaswami Mudaliyar, Mr. A. Rameswara Rao, Mr. G. Rangonatha Mudaliyar, Mr. A. Ross, Mr. T. M. Sagaram, Mr. P. Saldanha Mr. J. A. Sami Venkatachalam Chetti, Mr. Samuel, Mr. J. D. Sarabha Reddi, Mr. K. Saravayudu, Mr. K. Sashibhushan Rath Mahasayo, Srinan. Satyamurti, Mr. S. Seturathnam Ayyar, Mr. M. R. Sitarana Reddi, Mr. K. Siva Rao, Mr. P. Srinivasa Ayyangar, Mr. R. Srinivasan, Rao Sahib R. Subbarayan, Dr. P. Subramania Pillai, Mr. K. Chavadi. Sundaramurti, Rao Sahib P. V. S. Suryanarayana-murti Nayudu, Diwan Bahadur K. Symons, Major-General T. H. Tangaveilu Pillai, Rao Sahib T. C. Uppi Sahib, Mr. K. Veerian, Mr. R. Venkatachala Padayachi, Mr. K. Venkatapati Razu, Mr. P. C. Venkataramana Ayyangar, Mr. C. V. Venkatarana Sastri, Mr. T. R. Venkatreddi Nayudu, Kt., Rai Bahadur Sir K. Windle, Capt. E. G. Wood, Mr. C. E. Zamindar of Kallikota.

[12th February 1926]

I NEW MEMBER.

The following Member made the proscribed oath or affirmation of allegiance to the Crown and took his seat :—

M.R.Ry Rai Bahadur NARASIMHA AYYANGAR GOPALASWAMI AYYANGAR
Avargal.

II QUESTIONS AND ANSWERS.

*[Order made by the President of the Madras Legislative Council under
Standing Order No. 15 on the 4th December 1924.]*

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpellator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question-time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.

Agriculture.

Travelling allowance of Agricultural demonstrators.

* 1376 Q.—Mr. T. ADINARAYANA CHETTIYAR Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the maximum travelling allowance draw-able by an Agricultural demonstrator is fixed, and if so, what the amount is; and

(b) what is the maximum distance roughly these demonstrators have to travel to reach the farthest places in their jurisdiction from their head-quarters?

A.—(a) No.

(b) The Government have no information.

Mr. T. ADINARAYANA CHETTIYAR :—“ With reference to the answer given in clause (a), may I ask whether it is always the case or whether any limit was fixed previously and whether there has been any change recently ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ I am not aware of any change ”

Subordinate service of the Agricultural department.

* 1377 Q.—Mr. A. CHIDAMBARA NADAR Will the hon. the Minister for Development be pleased to state—

(a) whether there is any difference in the nature and quantity of work done by the upper and lower divisions in the subordinate service of the Agricultural department; and

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(b) whether the Government are taking steps to amalgamate the two divisions?

A.--(a) Yes.

(b) It is proposed gradually to abolish the lower division.

Mr. A. CHIDAMBARA NADAR:—“With reference to the answer given to this question, may I know whether there is any difference in the qualification for the upper and lower grade services in the Agricultural department?”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI:—“One has passed the certificate course and the other, college course and has become a graduate.”

Mr. A. CHIDAMBARA NADAR:—“With regard to the same clause I am told that there is absolutely no difference between the work turned out by the officers in the upper and lower grade services?”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI:—“I can read the extracts from the demi-official written by the Director of Agriculture—

‘The lower subordinates are men who have undergone an elementary course at the Agricultural College—the certificate course

‘The upper subordinates have attained a University degree. The upper subordinates have to take charge of administration for larger areas dealing with new questions and problems and initiate new methods and are therefore employed for this purpose. But the lower subordinates are only capable of carrying out definite pieces of administrative work such as building demonstration farms, etc., and are therefore given only definite pieces of work to do.’”

Mr. A. CHIDAMBARA NADAR:—“In case the upper and lower grades are amalgamated, may I know whether the officers in the lower grade will be retained?”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI:—“If they are fit they will be promoted. If they are not fit they will be continued in their present grade.”

The RAJA OF RAMNAD:—“If they are continued in the lower grade, are we to suppose that gradually their posts will be abolished?”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI:—“Till their retirement they will be retained.”

Mr. A. CHIDAMBARA NADAR:—“Is there any period within which the two divisions will be amalgamated?”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI:—“The lower grade services will only be gradually absorbed into the upper grade.”

Mr. A. CHIDAMBARA NADAR:—“Is there no period fixed?”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI:—“No period.”

Mr. A. CHIDAMBARA NADAR:—“May I know whether any recruitment is made for lower grade?”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI:—“No.”

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Experiments on the uses of crude salt.

* 1378 Q.—MR. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state—

(a) whether the Agricultural department has tried the experiment of utilizing crude salt as manure as well as preventive of moisture for coconut plantation under the dry system of cultivation ;

(b) if so, what the result of the experiments has been ;

(c) whether that department has observed the results of such experiments made by others ;

(d) whether Government have considered the question of making arrangements to supply crude salt required for agricultural purposes as well as for curing fish ;

(e) whether applications were made within the last two years by the District Advancement Association of South Kanara and another individual in that district to the Director of Agriculture for issue of crude salt duty free ; and

(f) if so, what his reply was ?

A.—(a) The Agricultural department is now carrying out a series of experiments with salt at the Coconut Experiment station at Kasaragod.

(b) As coconut trees grow very slowly it will take some years before any conclusive results can be obtained.

(c) The department has studied all the available literature on the subject and is aware of the experiments conducted in Bombay and Porto Rico showing an advantage obtained by the use of salt under the particular conditions obtaining in those countries.

(d) The answer is in the negative.

(e) The answer is in the affirmative.

(f) His reply was that he could not advise Government to issue denatured salt free of duty until the department had thoroughly investigated the matter and the experiments conducted by it showed that under the conditions obtaining in this Presidency salt would prove a useful manure for coconuts.

MR. J. A. SALDANHA :—“ I want to know why Government cannot take advantage of the co-operation and experience of private individuals in their experiments and for this purpose will not Government issue crude salt duty free in order to help these men in their experiments ? ”

THE HON. DIWAN BAHADUR SIR T. N. SIVAGNAM PILLAI :—“ If the Government are convinced that these experiments will be useful to them, then they will take action in the matter.”

Co-operative Societies.

‘ Non-credit ’ work done by Deputy Registrars of Co-operative Societies.

* 1579 Q.—MR. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Development be pleased to state—

(a) whether the Deputy Registrars of Co-operative Societies under the reorganization scheme have taken up ‘ non-credit ’ work and what is the progress made by them in this direction during the last three months ;

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(b) whether it is a fact that the Deputy Registrars were specially deputed for 'non-credit' work as the Assistant Registrars had neither the capacity, knowledge or tact for the work;

(c) whether it is a fact that the Deputy Registrars are in most cases only Assistant Registrars who have been promoted as Deputy Registrars and not men with any special qualifications; and

(d) whether there is any proposal to bring in better qualified men or commercial and technical experts when the places of other Deputy Registrars have to be filled up?

A.--(a) Yes. Twenty-eight non-credit societies have been registered eleven more have been organized, and in respect of twenty-two more preliminary investigations have been made. In respect of another twenty-two existing societies further developments of non-credit activities have been attempted

(b) The attention of the hon. Member is invited to paragraph 4 of G O No. 378, Development, dated 12th March 1925, which has been laid on the Editors' Table.

(c) The attention of the hon. Member is invited to paragraph 5 of the same order. Of the nine Deputy Registrars eight are Deputy Collectors with special experience of and qualifications for co-operative work. Only one junior Assistant Registrar was permanently promoted as Deputy Registrar and he possesses the necessary qualifications.

(d) No.

MR. T. ADINARAYANA CHETTIYAR :—" With reference to the answer given to this question, may I know whether the Deputy Registrars have to submit to Government a statement of work done by them month by month or quarter by quarter ? "

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—" I want notice."

MR. T. ADINARAYANA CHETTIYAR :—" Is the hon. Minister aware that the Deputy Registrar of Co-operative Societies of North Arcot is forcing non-credit work on a number of people who do not want them ? "

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—" I am not aware of it."

MR. T. ADINARAYANA CHETTIYAR :—" Is he aware that the same gentleman (Deputy Registrar) is inducing several people to take up non-credit work and they are unwilling and decline to do that work and have also quarrelled with him ? "

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—" I am not aware of that. Probably it forms part of their propaganda work, but I have no details of the same."

MR. T. ADINARAYANA CHETTIYAR :—" In Gudiyattam where there is a non-credit weavers' society the Deputy Registrar demanded the people to take up non-credit work, but the members demanded back their contributions. Will the hon. Minister kindly become aware of this ? "

The hon. the PRESIDENT :—" That is not a question for information."

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MR. C. RAMALINGA REDDI :—"With reference to this 'non-credit' work, may I know whether this is done by specialists or ordinary Assistant Registrars engaged in the department?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"The work is done by the Deputy Registrars."

MR. C. RAMALINGA REDDI :—"Are they specialists in this work or do they take it up along with their usual work?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"That work has been specially given to them."

MR. T. ADINARAYANA CHETTIYAR :—"Are these people specially qualified to turn out this work? What examinations have they passed? (Laughter.) It is not such a simple matter as that, I am afraid. These men should have a knowledge of general trade organization and other things. So this class of work requires some special qualification. If these people are not specially trained for this kind of work, why should the Government have such an overpaid staff?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"They are considered specially fit for that work."

MR. T. ADINARAYANA CHETTIYAR :—"May I ask that if district co-operative federations are started will they not be asked to attend to this kind of non-credit work?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"They may also do it."

MR. C. RAMALINGA REDDI :—"May I ask what kind of non-credit work has been taken up by these Deputy Registrars?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"If the hon. Member gives notice of the question, I shall be able to give him the information."

MR. T. ADINARAYANA CHETTIYAR :—"How are these Deputy Registrars better qualified or superior to the Assistant Registrars from whose ranks they have been promoted?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"Only one has been promoted. Others are all men of experience and they are able to carry out the work."

MR. J. A. SALDANHA :—"Is it not a fact that for the starting of industrial co-operative societies there is hardly one Deputy Registrar who has been trained in that line and is sufficient?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"That is not our opinion or impression."

MR. T. ADINARAYANA CHETTIYAR :—"Will the Government be pleased to state the matters in which the Deputy Registrars can advise the people?"

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"Paragraph 5, G.O. No. 378, Development, dated 12th March 1925, gives that information."

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Education.

Admission of detained students in Queen Mary's College.

* 1380 Q.—**MR. R. VEERTAN**: With reference to question No. 531 regarding the Queen Mary's College answered at the meeting dated 28th October 1925, will the hon. the Minister for Education be pleased to state whether it is a fact that those students who have failed twice in the junior class are not allowed to continue their studies in the same junior class in the third year?

A.—Students who fail twice in the annual examination for promotion from the Junior Intermediate to the Senior Intermediate class are not ordinarily readmitted to the junior class for a third year. When, however, a student is prepared to change her optional group so as to study subjects other than those which she took up at first, she is permitted to continue her studies in the college, provided that she takes up an optional group which, in the opinion of the Principal, she is likely to be able to pursue with profit up to a University standard.

Diwan Bahadur M. KRISHNAN NAYAR —“With reference to the answer given to this question, will the hon. the Minister change the practice of prohibiting girls who have failed twice in the junior intermediate to pass the annual examination from studying in the junior intermediate again? I suppose the hon. the Minister can allow these girls in the junior intermediate class for the third year also particularly because they are girl-students.”

The hon. Rao Bahadur Sir A. P. PATRO. “No special reason has been assigned for the change. If in a particular case any special reasons are given, that will be considered.”

Diwan Bahadur M. KRISHNAN NAYAR. —“I want an answer not with reference to particular cases but with reference to the general question. My question was whether this general practice of prohibiting the girls to continue for the third year in the junior intermediate class, if they failed twice, would be changed.”

The hon. Rao Bahadur Sir A. P. PATRO :—“General practice does not require any alteration now.”

MR. S. SATYAMURTI —“May I ask the hon. the Minister to be good enough to state the number of girls who come under this category, viz., those who fail twice in the first year of the college course in the Queen Mary's College and are therefore prevented from continuing for the third year, unless they change their groups to the satisfaction of the Principal?” 11-15 a.m.

The hon. Rao Bahadur Sir A. P. PATRO :—“I cannot give the information off-hand.”

MR. S. SATYAMURTI :—“Will the hon. the Minister be good enough to say whether this phenomenon of girls failing twice in the first year of the college course is due to the fact that the Principal of the Queen Mary's College is allowed to admit girls, even though they do not get the qualifying marks in the public S.S.L.C. examination? If this is true, may I ask why this practice is continued, and why girls cannot be admitted on the same footing as boys, only if they pass the S.S.L.C. public examination and thus get themselves qualified?”

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The hon. Rao Bahadur Sir A. P. PATRO :—"The hon. Member's assumption is not correct. On the other hand we understand that the Principal of the Queen Mary's College is strict in the matter of admission to the college. The parents of the girls want that the rule should be relaxed so that even though the girls get less number of marks, they may be admitted."

Mr. S. SATYAMURTI :—"My information is different. I will take the hon. Minister's information. If that is so, if girls are selected on the highest possible standards and the Principal admits only very good girls, how does it happen that after tuition for two years in a Government college run by the Government with an expert staff, several girls are not fit even to be promoted from the first year to the second year class? Is it because the staff is incompetent or the girls admitted are not fit?"

The hon. Rao Bahadur Sir A. P. PATRO :—"It may not be due to the two reasons given by the hon. Member. It may be due to other reasons. After going to the college classes, the girls may not be able to get through their work."

Diwan Bahadur M. KRISHNAN NAYAR :—"Ordinarily, is it not more difficult for girls to take up a new group in the third year and qualify themselves for promotion than if they continue in their original group?"

The hon. Rao Bahadur Sir A. P. PATRO :—"It is only those girls who can change their optional subjects will get the concession of being admitted into the class."

Diwan Bahadur M. KRISHNAN NAYAR :—"My question is whether ordinarily it is not more difficult for girls to qualify themselves in new groups than in old groups?"

The hon. Rao Bahadur Sir A. P. PATRO :—"If the hon. Member wants my opinion, he will have it privately."

Diwan Bahadur M. KRISHNAN NAYAR :—"I do not want his opinion. What I want to know is whether he will accept the suggestion that has been made?"

The hon. Rao Bahadur Sir A. P. PATRO :—"That question has already been answered."

Mr. C. RAMALINGA REDDI :—"Does a similar regulation apply in the case of boys? Are students in the Presidency College also prevented from continuing in the college, if they fail twice unless they change their groups?"

The hon. Rao Bahadur Sir A. P. PATRO :—"The question refers to girls and not to boys. I shall be prepared to answer that question when it arises."

Mr. C. RAMALINGA REDDI :—"Mr. President, Sir, it is for you to decide whether the question arises or not?"

Mr. K. PRABHAKARAN TAMPAN :—"May I know, Sir, the reasons why they were refused admission for the third year?"

The hon. Rao Bahadur Sir A. P. PATRO :—"If there is no room or if they are not properly qualified."

Mr. S. SATYAMURTI :—"Looking at the answer, third line, 'are not ordinarily readmitted to the junior class for a third year,' may I ask whether it

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is left arbitrarily to the individual discretion of the Principal of the College, to say that a girl who has failed twice shall not be admitted for the third year or is it based upon any general principles ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ With regard to the academic qualifications, etc., the discretion of the Principal must be accepted. It is the discretion of the Principal in regard to admission that we are accepting.”

Mr. S. SATYAMURTI :—“ I am not asking about admissions. I am asking about the discretion given to the Principal of the Queen Mary's College to allow certain girls to continue for the third year in the first Intermediate class. Will the hon. the Minister be good enough to say in view of the use of the word ‘ ordinarily ’ in the answer, whether the discretion so vested in the Principal is an arbitrary one, or is governed by any general rules at all ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The Principal would consult her colleagues on the staff and would arrive at a decision in a particular case.”

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ Has no Advisory Committee been appointed for this college ? ”

Mr. S. SATYAMURTI :—“ In view of the fact that the S.S.L.C. examination is an examination of students in particular groups of subjects under group C as it is called, and in view of the fact, therefore, that the choice of optional subjects is restricted, may I ask the hon. Minister to say what are the optional groups in the Intermediate which a girl who has taken, say, History and Logic and fails twice in the first Intermediate class, can take up for the third year ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ This is a matter which requires reference and I would like to have notice.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ Does this rule, viz., that girls who fail twice are not allowed to study in the Junior Intermediate for the third year unless they change their subjects, apply to girls in the Women's Christian College ? ”

The hon. the PRESIDENT :—“ This is hardly a question to be put to the hon. the Minister for Education.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ The hon. Minister is in charge of the whole Education Department, inclusive of those colleges which are aided. Moreover, we have only two such colleges.”

The hon. the PRESIDENT :—“ Certainly not with regard to internal discipline.”

Government girls' school transferred to Ponnani Taluk Board.

* 1381 Q.—Mr. R. VEERIAN : With reference to question No. 563 answered at the meeting dated 28th October 1925, will the hon. the Minister for Education be pleased to state—

(a) the number of Brahman, non-Brahman and depressed classes girls that are now reading in the Government girls' school transferred to the Ponnani Taluk Board ; and

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(b) the number of Brahman, non-Brahman and depressed classes girls who are getting (1) the concession of half the standard rate of school-fees and (2) scholarships in each standard ?

A.—(a) & (b) The particulars required are given below :—

Number of pupils	...	{	Brahmans ...	...	60
			Non-Brahmans	...	411
			Depressed classes	...	12
Number of pupils getting concession of half the standard rate of school fees.		{	Brahmans ...	...	Nil.
			Non-Brahmans	...	
			Depressed classes	...	
			Brahmans	Non-Brahmans.	Depressed classes
Scholarships in each standard VI.	...			2	...
Scholarships in each standard VII.	...			...	...
Scholarships in each standard VIII†	...			...	...

MR. R. VEERIAN :—“ With reference to clause (b), may I know the reason why no scholarships are given to depressed classes and I want to know also why no concession of school fees is allowed ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ If there is no concession to pay half fees, the presumption is that they are paying full fees.”

MR. R. VEERIAN :—“ May I know whether there is any memorandum or Government Order issued by the Government to the effect that pupils reading in the elementary schools run by public management may be admitted without payment of school fees ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I am not aware of it now.”

MR. R. VEERIAN :—“ May I know whether there is a Memorandum No. 4404-A, dated 29th October 1924, rule 73 (1) of the Madras Educational Rules and whether G.O. No. 1212, Law (Education), dated 24th July 1924, lays down that pupils belonging to the depressed classes and to the classes which have been declared to be backward may be admitted in the elementary schools under public management without payment of fees ? May I know from the hon. the Minister whether all the girls reading in that school are paying full fees ? (After a pause.) This is an important question. May I therefore request the hon. the Minister to kindly give a reply ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The memorandum speaks for itself. It gives instructions as to how the management should deal with this matter.”

MR. R. VEERIAN :—“ Am I to take it that this memorandum has been overruled by the hon. Minister's reply ? ”

*Admission of depressed class pupils into Singanallur Board
Elementary schools.*

* 1382 Q.—MR. R. VEERIAN : Will the hon. the Minister for Education be pleased to state—

(a) whether Government have taken any steps or made any enquiries on my representation to them several weeks ago regarding the non-admission

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of depressed class pupils into the Singanallur Board Higher Elementary School for boys and the Singanallur Board Lower Elementary Schools for girls run by the Coimbatore Taluk Board ;

(b) if so, what the result of their enquiry is ; and

(c) whether the Government have already made enquiries regarding the non-admission of an Adi-Dravida boy by the Brahman headmaster into the Vellakinar Board Higher Elementary School, Vellakinar, Coimbatore Taluk Board ?

A.—(a) & (b) The report called for from the Director of Public Instruction is awaited

(c) The Adi-Dravida boy in question was admitted into the Board Higher Elementary School, Vellakinar, on 9th December 1925.

Mr. R. VERRIAN.—“ With reference to the answer to clause (c), may I know whether it is a fact that on the next day itself owing to the discouragement received at the hands of the teachers in the school the boy was obliged to stay away ? May I therefore know whether the Government will be pleased to make enquiries in the matter in order to set right the defect and take necessary steps if the teachers are at fault ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The question does not arise out of the answer given.”

Mr. S. SATYAMURTI :—“ The question is whether the boy was admitted. The answer is ‘ the boy was admitted ’. My hon. Friend says that the very next day the boy was forced to give up the school. May I ask the hon. Minister to be good enough to make enquiries to find out whether the allegation is true ? Otherwise, the admission is really no admission at all ”

Mr. A. CHIDAMBARA NADAR :—“ May I know whether the headmaster admitted the boy voluntarily or under compulsion ? ”

The hon. Rao Bahadur Sir A. P. PATRO —“ No information.”

Mr. C. V. VENKATARAMANA AYYANGAR.—“ May I know when the communication about this reached the hon. the Minister ? I see that the answer was received in your office on the 2nd February. It is very desirable to know why the officer who reported that the boy was admitted on the 9th, did not mention the fact that he left the school on the 10th, if that is a fact.”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Notice, Sir.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ I suppose the papers are in the hands of the hon. the Minister.”

The hon. the PRESIDENT :—“ Evidently, this information is not here.”

Mr. R. VERRIAN :—“ The hon. Member can take his own time but will he give us a reply to-morrow ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The information cannot be got to-morrow ; it will take time.”

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Recognition of elementary schools.

* 1383 Q.—Mr. R. VEFRIAN: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government are aware that at the last meeting of the Coimbatore District Educational Council, Coimbatore, a resolution was passed to the effect that schools having less than twenty pupils should not be recognized;

(b) whether the Government have accepted the resolution already; and

(c) how many such Councils have passed similar resolutions?

A.—(a) & (b) A report has been called for

(c) The Government have no information.

Excise.*Sale of European liquors.*

* 1384 Q.—Mr J. A. SALDANHA: With reference to question No. 536 (c) answered at the meeting of the Council held on 28th October 1925, will the hon. the Minister for Education be pleased to state—

(a) why the sale of European liquors was not prohibited side by side with the prohibition of sale of Indian liquors;

(b) the names of owners of the shops in the taluks which were and are now allowed to sell European liquors;

(c) whether there are any clubs in which European liquors are allowed to be sold to their members without licence fees and if so, which they are;

(d) what steps have been taken or are being taken to stop sales of European liquors in the taluks; and

(e) whether Government are now in a position to state the results of the prohibition in the said taluks?

A.—(a) The experiment was extended only to arrack as being the most expensive and deleterious of the liquors usually consumed by the masses

(b) The information is given below.—

Names of shops allowed to sell European liquors.	Names of owners	
	In 1924-25.	In 1925-26.
Shiyali shop	Sundararaj.	Sundararaj.
Tiruturaipundi shop.	Manikka Samayam.	Manikka Samayam.
Duvakottai shop.	Raja Ram Singh.	Subbayya Servai.
Tenkasi shop ...	Shanmugam & Co.	Shanmugam & Co.

(c) No.

(d) No steps have been taken.

(e) The experiment has led to an increase in the consumption of foreign liquor in the taluks of Shiyali, Tiruturaipundi, Tiruvadanai and Tenkasi. It has also led to the smuggling of Travancore arrack and illicit distillation in Tenkasi taluk and to an increase in the number of cases reported under illicit distillation and kindred offences in the Atur taluk. It is however too early to judge finally of the results of the experiment which was sanctioned for a period of three years from 1st April 1924.

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Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ May I know the period for which these licences were given ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ For the new year.”

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ May I know whether they were in existence before the arrack shops were closed ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ They have been in existence. They will continue.”

Mr. J. A. SALDANHA :—“ Are these licences issued from year to year ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ For one year.”

Mr. J. A. SALDANHA :—“ May I know why the Government did not stop the import of foreign liquor by stopping their licences for the next year ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The answer is given in clause (a).”

Mr. A. RANGANATHA MUDALIYAR :—“ With reference to the answer to clause (c), may I know whether there is objection only when people want to take liquor outside ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Outside the club.”

Mr. K. KOTI REDDI :—“ With reference to the answer to clause (c), may I know if the Government have increased the preventive staff in those taluks to prevent illicit distillation ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Yes. The staff has been strengthened.”

Mr. K. KOTI REDDI :—“ May I know if the Government have taken the help of the Police ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The Police are to co-operate and assist the Excise department.”

11-30
a.m.

Mr. S. SATYAMURTI :—“ With reference to the answer to clause (a), may I ask the hon. the Minister for Excise to be good enough to say what the experiment is being tried for ? Is it for seeing whether prohibition can be introduced or is it merely to discourage the masses from indulging in arrack ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ These being toddy areas the experiment is tried with regard to arrack which is more expensive and deleterious.”

Mr. S. SATYAMURTI :—“ Sir, with reference to the answers to clauses (a) and (c) that no steps have been taken to stop the consumption of European liquor in these taluks, and also that the experiment has led to an increase in the consumption of European liquors in these taluks, may I ask the hon. Minister the reason why foreign liquors which are certainly more costly than arrack and which are now being consumed on a larger scale are not stopped, if really the experiment is intended to yield the results which the Government expect it to yield ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The expensive class of liquor is not generally drunk by the masses of the people who generally take toddy and arrack.”

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Mr. S. SATYAMURTI :—" May I ask for some light on the answer? The experiment has led to an increase in the consumption of foreign liquor. It must be either because those people who consume foreign liquor have increased their doses or because other people who drink foreign liquor have come into those taluks. Neither of these is probable. Will the hon. Minister find out whether or not those masses who were taking arrack and toddy are now taking foreign liquor? "

The hon. Rao Bahadur Sir A. P. PATRO :—" Not the masses anyhow to our knowledge."

Mr. S. SATYAMURTI :—" What is the knowledge based on? Have the Government inquired into the causes of the increase in the consumption of foreign liquor? "

The hon. Rao Bahadur Sir A. P. PATRO :—" That is being enquired into "

Mr. S. SATYAMURTI :—" Will the result of the enquiry be placed on the Editors' Table and if so, when? "

The hon. Rao Bahadur Sir A. P. PATRO :—" If it is considered necessary, it will be done."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I ask the hon. Minister to state when the Government found that there was an increase in the consumption of foreign liquor? "

The hon. Rao Bahadur Sir A. P. PATRO :—" After the experiment was tried for one year."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" May I know how they are going to check the increase? "

The hon. Rao Bahadur Sir A. P. PATRO :—" I should like to have notice of the question."

The RAJA OF RAMNAD :—" Does the hon. Minister mean that the well-to-do classes who were till now taking arrack are now taking foreign liquor on account of this step taken by the Government? "

The hon. Rao Bahadur Sir A. P. PATRO :—" That is what is suggested."

Mr. S. SATYAMURTI :—" Sir, when I put a similar question, the hon. Minister replied that the matter was being enquired into. But on a question being put by the hon. Member below the gangway the hon. Minister replied that that was what was suggested. May I ask him who was the officer who suggested this? Was the Commissioner of Excise? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The suggestion was made by the department."

Mr. S. SATYAMURTI :—" In any written report? "

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I ask the hon. Minister whether the information contained in answer to clause (e) is based on any enquiry made by the hon. Minister? "

The hon. Rao Bahadur Sir A. P. PATRO :—" That is the information furnished by the Commissioner of Excise after enquiry into the matter."

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Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know whether the enquiry was made by his own departmental officers or by any commission ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" He had no commission of enquiry ; he did it by his own departmental officers."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I ask the hon. Minister whether the Commissioner is not competent or authorized to appoint a commission of enquiry ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" There is no reason at all to doubt that the Commissioner conducted this enquiry without care and caution."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know the reason why the hon. Minister did not take any steps to stop the increase in consumption of foreign liquor as soon as the Commissioner reported the fact ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The experiment is for three years and we have not completed even one year"

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I ask the hon. Minister if at the end of one full year he finds that there is a clear increase in the consumption of foreign liquor he would even then sit quiet and do nothing till the whole period of three years is completed ? "

Mr. S SATYAMURTI :—" In view of the importance of this experiment, may I suggest that the hon. Minister might undertake one of his numerous official tours in these taluks and find out for himself how the experiment is working ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" If it is found necessary "

Sriman SASIBHUSHAN RATH Mahasayo :—" Sir, if the experiment is found to be working to the detriment of the people on account of the increase in the consumption of foreign liquor, will the hon. Minister stop it at once ? I am putting this question, Sir, though it suggests action."

Mr. J. A. SALDANHA :—" May I ask the Government whether they are really in earnest in their policy of temperance reform or prohibition when they do not stop the increase in the consumption of foreign liquor ? "

The hon. the PRESIDENT :—" That is too large a question by way of a supplementary question."

Closure of toddy and opium shops.

* 1385 Q.—Mr. P. C. VENKATAPATI RAJU : Will the hon. the Minister for Education be pleased to lay on the table a statement showing

(a) the number of arrack, toddy and opium shops recommended to be abolished by the local boards and municipalities in the Presidency ; and

(b) the number actually closed by Government in accordance with those recommendations during the last three years ?

A.—The particulars asked for are not available with Government.

Mr. R. SRINIVASA AYYANGAR :—" In view of the fact that two months have elapsed since this question was put, may I ask the Government whether they have since taken any steps to collect the information ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" No, Sir."

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Mr. R. SRINIVASA AYYANGAR :—" May I ask why the Government have not considered it necessary to furnish the answer to this question ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" Government have not got the materials here "

Mr. R. SRINIVASA AYYANGAR :—" May I ask whether the Government will ascertain the information and place it on the table ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" No, Sir. "

Mr. R. SRINIVASA AYYANGAR :—" May I ask the Government how with reference to clause (b) they are not aware of the number of shops closed by them ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The shops are closed on the recommendation of the Advisory Committees by the Commissioner of Excise. "

Mr. R. SRINIVASA AYYANGAR :—" May I ask whether the Government are not aware of this ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" When the report of the Commissioner is laid on the table, the hon. Member can have the information easily. "

Mr. R. SRINIVASA AYYANGAR :—" Apart from that report, am I to understand that the Government at present are unable to give the required information ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" It is unnecessary for the Government to give the information available in published documents. "

Mr. R. SRINIVASA AYYANGAR :—" Will the Government now call for the information ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" I do not think it necessary. "

Mr. R. SRINIVASA AYYANGAR :—" Is it because that it would be a sheer waste of time or because that the information would place the Government in an awkward situation ? "

Mr. P. ANJANEYALU :—" May I ask the hon. Minister whether it is not a fact that the Collectors ask the local bodies year after year to send in their suggestions with regard to the question (a) ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" It is so "

Mr. P. ANJANEYALU :—" May I ask the hon. Minister whether it is not easy for him to find out how many shops are closed and how many are not ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The Collector may have the information "

Mr. P. ANJANEYALU :—" Is it not possible for the Government to get the information from the Collectors ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The information is embodied in the annual report of the Board of Revenue. "

Mr. P. ANJANEYALU :—" Mr. President, here is a question admitted by you. Is it not up to the hon. Minister to give us the necessary information without asking us to wait for one or two years when the information will be published in a book form ? "

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Mr. R. SRINIVASA AYYANGAR :—“ May I ask the hon. Minister whether the Administration Report for 1924-25 has been published ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Yes.”

Mr. R. SRINIVASA AYYANGAR :—“ May I know whether it was placed on the Editors' table ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I believe it was recently published.”

Local Boards and Municipal Councils.

Presidentship of the Sivakasi Taluk Board.

* 1386 Q.—Mr. T. ADINARAYANA CHETTIYAR Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is not a fact that the temporary president, Sivakasi Taluk Board, has not as yet held any meeting for the election of the permanent president of the taluk board ;

(b) whether the temporary president has refused in writing to hold the election of president until O.S. No. 208/25, a suit filed by a member of the Sivakasi Taluk Board in the District Munsif's Court of Srivilliputtur, is disposed of ;

(c) whether such refusal was made by the President, Sivakasi Taluk Board, in answer to a requisition by eleven members of the taluk board under Rule 2, Chapter II of the Local Boards Act ;

(d) whether Government have taken any action in this matter ; and

(e) whether Government have since asked the temporary president to convene a meeting of the taluk board for the election of the president and, if so, when is the election to be held ?

A.—(a), (b) & (c) The answer is in the affirmative.

(d) & (e) The answer is in the negative. In C.M.A. No. 39 of 1925, dated 30th July 1925, the District Judge of Ramnad passed an order prohibiting the holding of the election of president till the disposal of O.S. No. 208 of 1925 on the file of the District Munsif of Srivilliputtur. The District Munsif dismissed the suit on 23rd December 1925. The Collector however reports that the plaintiff has preferred an appeal to the District Court. In these circumstances, no action can at present be taken by Government.

Mr. T. ADINARAYANA CHETTIYAR :—“ With reference to the answers to clauses (b) and (d), is it not a fact, Sir, that immediately the suit was dismissed on the 23rd December 1925 the prohibition of the District Judge also ceased automatically ? ”

The hon. the RAJA OF PANAGAL :—“ I do not exactly know, Sir, when the prohibition ceased and when the appeal was preferred. But if the appeal was made on the very same day or the next day, there would hardly have been time enough to take any steps.”

Mr. T. ADINARAYANA CHETTIYAR :—“ I would submit, Sir, that it does not depend upon the date of appeal ; the prohibition stops immediately the suit is dismissed and, unless there was a fresh prohibition by the same tribunal or by some other tribunal, there is no need to stop the election.”

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The hon. the PRESIDENT :—“ What is the question, please ? ”

Mr. T. ADINARAYANA CHETTIYAR :—“ May I ask why the election should not have taken place since the prohibition had automatically ceased ? ”

The hon. the RAJA OF PANAGAL :—“ I do not know exactly when the appeal was preferred ; but if the appeal had been preferred immediately after, there would hardly have been time enough for the election.”

Mr. T. ADINARAYANA CHETTIYAR :—“ I have stated, Sir, that the prohibition died on the day when the suit was dismissed, i.e., 23rd December 1925. Between that date and 12th February—may I know why the election has not been held ? ”

The hon. the RAJA OF PANAGAL :—“ I think when an appeal was preferred the President has a justifiable excuse in not proceeding with the election.”

Mr. T. ADINARAYANA CHETTIYAR :—“ The appeal does not prevent the holding of the election.”

The hon. the RAJA OF PANAGAL :—“ I understand that there is still another suit pending.”

Mr. T. ADINARAYANA CHETTIYAR :—“ It does when there is an order from the court to stop the election. There might be a dozen suits ; but they do not amount to a prohibition by a tribunal.”

The hon. the PRESIDENT :—“ That is a matter of opinion.”

The RAJA OF RAMNAD :—“ May I ask the hon. Minister on whose report the answer to clauses (a) to (c) is given ? ”

The hon. the RAJA OF PANAGAL :—“ I should like to have notice of the question.”

The RAJA OF RAMNAD :—“ With reference to the answer to the clauses (d) and (e) it is stated that the Collector reported about the matter. May I know why the Collector is asked to report about this matter which does not concern him ? ”

The hon. the RAJA OF PANAGAL :—“ I should like to have notice of the question.”

The RAJA OF RAMNAD :—“ May I ask the hon. Minister whether any report was called for from the temporary president of the taluk board or the president of the district board ? ”

The hon. the RAJA OF PANAGAL :—“ No, Sir.”

The RAJA OF RAMNAD :—“ In these matters pertaining to the taluk boards and district boards may I know the reason why the policy of calling for reports from the Collectors is pursued ? ”

The hon. the RAJA OF PANAGAL :—“ I have not stated that the Collector was asked to report ; I only said that I wanted notice of the question. The hon. Member's question is based on the assumption that we asked the Collector to report.”

The RAJA OF RAMNAD :—“ May I know whether the Collector applied in this suit to be made a party on behalf of the Government ? ”

The hon. the RAJA OF PANAGAL :—“ I should like to have notice of the question.”

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The Municipal Council of Tuticorin and Goa Mission Church.

* 1387 Q.—MR. J. A. SALDANHA : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether Government have received information or read about a public meeting held at Tuticorin on Monday the 7th December of the citizens of that town for entering “its protest against the action of the Chairman of the Municipal Council of Tuticorin (Rao Bahadur Cruz Fernandez) in demanding licence fees from the authorities of the Goa Mission church for storing building materials in the church compound from February 1922 to February 1923 and in otherwise seeking to treat the compound as if it were vested in the municipality”;

(b) what action Government have taken or propose to take in the matter; and

(c) to what extent Government have been privy or party to the action taken by the Chairman of the Tuticorin Municipality in this case?

A.—(a) Yes. The meeting was held on 6th December 1925

(b) In reply to the representations received from the Chairman of the meeting, the Government informed him that they were not prepared to interfere in the matter, that it was for the church authorities to establish their rights to the streets in question in a civil court and that until this was done the streets should be treated as public.

(c) To no extent, unless it is taken that the Chairman's action was based on the views expressed by Government in G.O. No. 904, L. & M., dated 18th March 1925,* a copy of which is placed on the table.

MR. J. A. SALDANHA : “ May I inquire of the hon. Minister whether it is a fact that the majority of the members of the Municipal Council are of a different opinion from the Chairman as to the right of the council to this land ? ”

The hon. the RAJA OF PANAGAL :—“ Yes, Sir.”

MR. J. A. SALDANHA :—“ If so, do the Government consider that one single gentleman of the Board is a better protector of the rights of the municipality than the majority of the councillors ? ”

The hon. the RAJA OF PANAGAL :—“ If the one member was right there is no reason why the Government should consider it otherwise.”

MR. J. A. SALDANHA :—“ Are Government aware that Mr. Cruz Fernandez belongs to the jurisdiction of different church authorities ? ”

The hon. the PRESIDENT :—“ That is hardly a matter within the cognizance of the hon. Minister.”

MR. J. A. SALDANHA :—“ It might come within his cognizance, Sir.”

The hon. the RAJA OF PANAGAL :—“ Government have no information.”

MR. J. A. SALDANHA :—“ Are Government aware at least of this, that the particular church authorities agitated against Cruz Fernandez during the last election ? ”

The hon. the PRESIDENT :—“ Order, order. That is also not a matter within the cognizance of the hon. Minister.”

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Nominated members of the Kovilpatti Taluk Board.

* 1388 Q.—**Mr. S. SATYAMURTI** : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the names of and the communities to which the nominated members of the Kovilpatti Taluk Board in the Tinnevely district belong ;

(b) the reasons why members belonging to communities already well represented in the taluk board are nominated ; and

(c) whether **Mr. Ramaswami Nayakar** has been nominated to this Board, though he stood for election twice and was defeated on both the occasions ; and, if so, the reasons why ?

A.—(a) A list ^a of the nominated members as on 21st October 1925 is laid on the table

(b) If the hon. Member will say to which communities he refers, inquiries will be made.

(c) **M R. Ry. K. V. Ramaswami Nayakar** Avargal is an elected member of the Board.

Memorial regarding elections to Tekkali Union Board.

* 1389 Q.—**Mr. S. SATYAMURTI** : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether he has received a memorial from **Mr. B. Dalaih** of Tekkali, Ganjam district, regarding the Union Board election of that place ; and

(b) whether he proposes to take any action thereon, and if not, why not ?

A.—(a) Yes.

(b) The President, District Board, Ganjam, was informed that he might make an inquiry into the matter with the help of a Committee formed by the District Board, if so desired.

Sriman SASIBHUSHAN RATH Mahasayo :—“ I wish to know whether there are any memorials other than the one referred to in the question ? ”

The hon. the **RAJA OF PANAGAL** :—“ Sir, I should like to have notice.”

Sriman SASIBHUSHAN RATH Mahasayo :—“ I wish to know whether the District Board President made any inquiry into the matter ? ”

The hon. the **RAJA OF PANAGAL** :—“ It is not known whether he has made any inquiry but he has not submitted any report.”

Sriman SASIBHUSHAN RATH Mahasayo :—“ Was there any Committee appointed by the District Board President ? ”

The hon. the **RAJA OF PANAGAL** :—“ He was asked to appoint a Committee but information is not available whether he has done so or not.”

Sriman SASIBHUSHAN RATH Mahasayo :—“ Was he asked to make a report on the matter or only to make an inquiry ? ”

The hon. the **RAJA OF PANAGAL** :—“ Yes.”

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Mr. R. SRINIVASA AYYANGAR :—“ May I ask the hon. Minister to tell us under what authority was the President of the District Board asked to inquire into the matter touching elections apart from the elections tribunal ? ”

The hon. the RAJA OF PANAGAL :—“ I want notice.”

Sriman SASIBHUSHAN RATH Mahasaya :—“ I wish to know whether the District Board President was asked to make an inquiry and submit a report to the Government or was he asked to decide the matter himself ? ”

The hon. the RAJA OF PANAGAL :—“ He was asked to make an inquiry and submit a report.”

Nomination of depressed class members to the Porto Novo Union Board.

* 1390 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state why no member of the depressed classes was appointed to the Porto Novo Union Board, Chidambaram taluk ?

A. An Adi-Dravida has been appointed as a Member.

Mr. R. VEERIAN :—“ May I know whether the Adi-Dravida member referred to in the answer was appointed before I drew attention to this fact in my question or was it before that ? ”

The hon. the RAJA OF PANAGAL : “ Subsequently.”

Store-houses for bones and raw skins in the Gidangal cheri

* 1391 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) why licences are issued by the Tindivanam Union Board for locating two stores, one for storing bones and the other for storing raw skins in the midst of Gidangal cheri where Adi-Dravidas live ;

(b) whether the Health Inspector or the District Health Officer ever visited the place ; and

(c) if so, what remarks they have made with reference to removing the stores from the present place to some other unobjectionable place ?

A.—(a) The two store-houses for skins and bones located in the Gidangal cheri have been in existence for many years. The owners have never taken out licences for them

(b) The District Health Officer, South Arcot, has inspected the store-houses.

(c) The President of the Tindivanam Union Board reports that on the advice of the District Health Officer he has taken steps to have the store-houses removed from the cheri.

Mr. R. VEERIAN :—“ With reference to (c), in my recent tour to Tindivanam I found that this storehouse was still existing. May I therefore know whether it has been removed since from that place ? ”

The hon. the RAJA OF PANAGAL :—“ The President has reported that steps will be taken to have it removed.”

Mr. A. RANGANATHA MUDALIYAR :—“ Are there any by-laws in that Union according to which licences have to be taken for the storage of bones and raw skins ? ”

The hon. the RAJA OF PANAGAL :—“ I should like to have notice.”

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Principles underlying nominations to district boards.

* 1392 Q.—MR. R. VEERIAN: Will the hon. the Minister for Local Self-Government be pleased to state the principles on which nominations are made to the different district boards?

A.—The attention of the hon. Member is invited to sub-section (5) of section 9 of the Madras Local Boards Act, 1920

MR. R. VEERIAN:—“ May I know how the nominations to the different district boards are being made ? ”

The hon. the RAJA OF PANAGAL:—“ On the recommendation of the President of the District Board.”

MR. R. VEERIAN:—“ Are the Government aware that the presidents of the different district boards recommend only their adherents since they have got a direct interest in these boards? May I therefore know whether the Government are contemplating to change the rule so as to vest the power of making recommendations in the hands of the District Collectors who have no direct interest whatever ? ”

The hon. the RAJA OF PANAGAL:—“ I do not admit, Sir, that the District Board Presidents are interested in making the appointments. In any case, that question has been answered in the answer to the next question.”

MR. R. VEERIAN:—“ May I know in that case whether the Government approve of the policy of entrusting the power of making a recommendation with the District Board President ? ”

The hon. the PRESIDENT:—“ It would be so till the law is changed.”

Amendment of laws relating to local boards and municipalities.

* 1393 Q.—MR. R. VEERIAN: With reference to question No. 562 answered at the meeting dated 28th October 1925, will the hon. the Minister for Local Self-Government be pleased to state whether the Government contemplate amendment of the law as far as local boards and municipalities are concerned with a view to make appointment of certain members belonging to the depressed classes compulsory?

A.—The Government have decided to amend sub-section (5) of section 9 of the Madras Local Boards Act, 1920, so as to provide for the making of rules for ensuring the adequate representation of Muhammadans, Indian Christians, the depressed and backward classes and other minority communities on the local boards and for the cancellation by the Local Government of any appointment of a member of a taluk or union board made in contravention of the rules. It is not proposed to amend the Madras District Municipalities Act in this respect as the appointing authority in the case of municipal councils is the Local Government.

MR. C. V. VENKATARAMANA AYYANGAR:—“ May I know when the new Bill can be expected ? ”

The hon. the RAJA OF PANAGAL:—“ It is proposed to have it introduced this afternoon so far as the Bill relating to the Municipal Act is concerned. The other Bill is not yet ready.”

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Mr. C. V. VENKATARAMANA AYYANGAR :—“ My question has nothing to do with the municipalities. The question relates entirely to the Local Boards Act. The answer says that the Government have decided to amend sub-section (5) of section 9. I want to know when the decision was arrived at and when the Bill is likely to be introduced ? ”

The hon. the **RAJA OF PANAGAL :—**“ The Bill is not yet ready. It is proposed to introduce it as early as possible ”

Mr. S. SATYAMURTI :—“ With reference to the last three lines of the answer, Sir, in view of some of the recent nominations by the Government themselves, may I ask the hon. Minister to be good enough to state the reasons why the Government do not propose to restrict nominations to municipalities to the minority and other backward communities ? ”

The hon. the **RAJA OF PANAGAL :—**“ That question is under consideration ”

Mr. S. SATYAMURTI :—“ May I take it therefore, Sir, that as in the case of the local boards, the Government accept that nominations to municipalities also should be for the purpose of representing the minority and the backward communities and that therefore the only question which is now pending before the Government is whether that object is to be secured by specific legislation or may safely be left to the discretion of the Government ? ”

The hon. the **RAJA OF PANAGAL :—**“ The object is to make good any deficiency in the results of the elections. There may be interests and communities which are not represented as the result of elections. In such cases to make good the defects, it is proposed that nominations should be made.”

Mr. S. SATYAMURTI :—“ Sir, the answer is somewhat cryptic. May I therefore specifically ask the hon. Minister to be good enough to refer to the printed answer ? In regard to the local boards it is stated ‘ to provide for the making of rules for ensuring adequate representation of Muhammadans, Indian Christians, the depressed and the backward classes and other minority communities on the local boards.’ May I take it, Sir, that the hon. Minister accepts that with regard to the municipalities also, that the same criteria should apply with regard to the nominations ? ”

The hon. the **RAJA OF PANAGAL :—**“ Yes, Sir, except that there may be also interests requiring representation.”

Mr. S. SATYAMURTI :—“ May I ask whether the hon. Minister contemplates interests other than those specified in the answer ? ”

The hon. the **RAJA OF PANAGAL :—**“ Yes, Sir.”

Mr. S. SATYAMURTI :—“ May I ask for some elucidation, Sir ? Just let me have some more light thrown on the somewhat obscure phrase ‘ interests other than those specified in the answer ? ”

The hon. the **RAJA OF PANAGAL :—**“ There are other interests. For example, the Railway interests. There are municipalities where the railway colonies form an important factor and contribute large amounts of revenue to the municipalities. In such cases such interests must be given some representation.”

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Mr. R. VEERIAN :—" While amending the Act, may I know whether there is any chance for the so-called depressed classes to the effect that they will be nominated compulsorily."

The hon. the PRESIDENT :—" That question will arise when the amendment is introduced."

Medical.

*A representative of the General Medical Council of Great Britain
on the Vizagapatam Medical College*

* 1394 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Vizagapatam Medical College was recently inspected by a representative of the General Medical Council of Great Britain ;

(b) if so, what his report was ; and

(c) whether the Government propose to take any action thereon ; and if not, why not ?

A.—(a) Yes.

(b) No report has been received

(c) The question does not at present arise.

Mr. S. SATYAMURTI :—" With reference to (b), may I ask the hon. Minister whether the report has since been received and secondly whether the attention has been drawn to a newspaper report—it may be inaccurate—that according to the inspection of this official of the Medical Council, the Vizagapatam Medical College was unfit to be recognized as giving instruction to qualified men whose qualifications will be registerable under the rules of the Council ? "

The hon. the RAJA OF PANAGAL :—" No, Sir."

Mr. S. SATYAMURTI :—" May I take that answer to mean that the hon. Minister's attention has not been drawn to the report or that the report does not say so ? "

The hon. the RAJA OF PANAGAL :—" I have not seen any such communication in the papers "

Mr. S. SATYAMURTI :—" May I ask if the report has been received."

The hon. the RAJA OF PANAGAL :—" No report has been received."

Mr. S. SATYAMURTI :—" May I ask when the report is expected to be received by the Government ? "

Public Health.

District Health Officer, Bellary.

* 1395 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state whether it is a fact that a private note was sent dated 25th September 1923 by the District Health Officer, Bellary, to all Health Inspectors of the district to the effect that they should help as much as possible the President, District Board, Bellary, in his Legislative Council election campaign ?

A.—The Government have no information.

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Mr. R. VEERIAN :—" May I know whether the Government have made no inquiry since they received the information ? "

The hon. the RAJA OF PANAGAL .—" They have made no inquiry."

Mr C. V. VENKATARAMANA AYYANGAR :—" Is not the District Health Officer a subordinate of the Government and have not the Government thought it necessary when a specific serious allegation is made against him for the accuracy of which the hon. Member makes himself responsible, to get that information ? "

The hon. the RAJA OF PANAGAL :—" I did not say that I was not going to call for the information. What is said is that there is no information available."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I take it therefore that the Government have called for that information or is it that they will call for it ? "

The hon. the RAJA OF PANAGAL :—" The request will be considered."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I want to know whether the information has been called for or is intended to be called for hereafter. That is a mere fact for which no notice is necessary."

The hon. the RAJA OF PANAGAL :—" This incident took place nearly two years and a half ago and I do not think it is worth our while to call for the information."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I invite the attention of the hon. the Law Member who, I believe, is in charge of elections whether the conduct of the Public Health Inspector of the district is approved of by the Local Government ? "

The hon. Sir C. P. RAMASWAMI AYYAR :—" I must say, Sir, that I did not know that any question was going to be addressed to me. I should like to have notice."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" In view of the answer given, will the hon. Member enquire into the matter ? "

The hon. Sir C. P. RAMASWAMI AYYAR :—" If any definite statement is made and I am asked any opinion on any matter, I shall enquire into the question. I did not know that any such question was going to be addressed to me."

Mr. R. VEERIAN :—" Sir, I have a copy of that private note sent to the Health Inspectors by one, Mr. Subbiah, District Health Officer, Bellary, written in the following manner : 'They are requested to help as much as possible the President, District Board of Bellary, in his election campaign' It is dated 25th September 1923. May I know if this unauthorized thing or principle involved in the incident that took place in 1923 is still existing or not ? "

The hon. the RAJA OF PANAGAL :—" If the hon. Member places the letter referred to before the Government they will enquire into it."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether the longer the confidential documents are kept confidential the greater the safety of the officer. Does it mean that simply because the matter has not come to light within three years, it will not be enquired into ? "

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The hon. the RAJA OF PANAGAL :—“ How are the Government expected to know that ? If the letter is placed before the Government, they would take action upon it.”

MR. C. V. VENKATARAMANA AYYANGAR :—“ There is the information given. The only simple thing that the Government should do is to ask the officer whether he had issued such a notice. Not to speak of these three years, the Government have been negligent for over two months and more since the information was given to them. Here is a Member who has taken the responsibility in asking the question and the Government had only to ask the officer whether the allegation was true. Now even if the note had been produced before the Government they may suspect it to be a forged one. The easiest way would be to ask the officer himself who is to say that he has not circularized any such note.”

MR. A. RAMASWAMI MUDALIYAR :—“ On a point of order. We are being inflicted with a speech and not a supplementary question.”

MR. C. V. VENKATARAMANA AYYANGAR :—“ I put this clear question, Sir. I want to know whether the hon. Minister after its being brought specifically to his notice that the note was sent, intended to verify the truth of the matter.”

The hon. the RAJA OF PANAGAL :—“ The question does not arise.”

MR. G. RAMESWARA RAO :—“ Now that the elections are again coming, I wish to know whether the hon. Minister would see that public servants do not bring such pressure on the people ?”

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noon.

MR. C. V. VENKATARAMANA AYYANGAR :—“ I am asking, Sir, as a matter of privilege. I am asking both the hon. the Minister and the hon. the Law Member whether it is not a matter of privilege that we should not be asked to hand over the papers we have got.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I may say, Sir, that till this morning I never saw this question or the answer. No question was put to me, so that I have not looked into this matter. If any hon. Member will send a question in regard to this point to me, I shall make enquiries.”

MR. C. V. VENKATARAMANA AYYANGAR :—“ My question was addressed to him in view of the answer given by the hon. the Minister. The Minister says that he will not be satisfied with the Member taking the responsibility for this, but wants that he must hand over the paper to him. I ask you, Sir, to say whether our privileges are not infringed. It may be that very often we get confidential papers and we make ourselves responsible for the accuracy of them. It is not fair to demand the handing over of the papers in all cases.”

The hon. the PRESIDENT :—“ The question of privilege cannot be addressed to the hon. the Law Member. It must be addressed to the President.”

MR. C. V. VENKATARAMANA AYYANGAR :—“ I simply want to know whether it is not considered as a matter of privilege.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ It is a matter of opinion.”

MR. K. PRABHAKARAN TAMPAN :—“ May I ask whether the gentleman succeeded in the elections for all these things.”

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Mr. SAMI VENKATACHALAM CHEETIYAR :—“ May I know if the hon. the Law Member requires a further notice for enquiring into this matter ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Yes. I should like to have notice.”

Mr. C. RAMALINGA REDDI :—“ May I ask whether it is necessary, as a principle, that fresh notice should be given to each individual ? Very often we address questions merely to Government, thinking that they will act as one united body.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I may say this, Sir, that in the course of the debate on this question, we have been given very many facts. If these facts are brought to the notice of the Government acting in the department of elections, the Government will certainly make the necessary enquiries.”

Mr. C. RAMALINGA REDDI :—“ The question I wish to address to the hon. the Law Member is this : Does he not think the present interpellations and the supplementary questions and answers give sufficient materials on which he, as the officer who is in charge of this task, can take initiative and action ? ”

The hon. the PRESIDENT :—“ As a matter of practical procedure, may I suggest to the hon. Member to address a formal question in order to ensure its answering ? ”

Mr. C. RAMALINGA REDDI :—“ My submission to you is this, Mr. President. We have practically exhausted this question. There is no further material to be placed before him and I wish to know whether addressing the Government, of which he is a Member, what has transpired to-day is not enough for him to take action on his own initiative without any further motion on our part ”

The hon. Sir C. P. RAMASWAMI AYYAR : “ To a certain extent I agree with the hon. Member who spoke last. The proceedings that have taken place this morning may be sufficient for the Government to take action, but if hon. Members want to have definite answers to questions, let them put those questions to hon. Members of Government.”

Mr. C. RAMALINGA REDDI :—“ Certainly. If my hon. friend wants us to table a question as to the results of any enquiry or action taken on this subject-matter, that of course we will do.”

Mr. K. PRABHAKARAN TAMPAN :—“ May I ask once again, Sir, whether the District Board President succeeded in his election ? ”

The hon. the PRESIDENT :—“ How is it a matter of public interest, whether he succeeded or not ? ”

Town-Planning.

Amendment of the Madras Town-Planning Act, 1920.

* 1396 Q.—Mr. V. C. VELLINGIRI GOUNDER : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the work of town-planning has been delayed on account of certain amendment suggested to be done in the Madras Town-planning Act, 1920, by the committee appointed under the Act for developing areas near the city of Madras ; and

(b) when Government propose to amend the above Act ?

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A.—(a) & (b) A Bill to amend the Madras Town-Planning Act, 1920, is now under the consideration of the Government. Pending the amendment of the Act, town-planning developments in Madras City and its suburbs have to be postponed.

This question does not, however, affect the execution of the town-planning schemes in mufassal municipalities.

Village Panchayats.

Organization and working of the Village Panchayats

* 1397 Q—MR S. SATYAMURTI Will the hon. the Minister for Local Self-Government be pleased to state the reasons which prompted the Government to issue the recent notification relating to the organization and working of the village panchayats?

A.—The hon. Member apparently refers to G.O. No. 3597, L & M, dated 3rd October 1925, which was published in Part I-A of the *Fort St. George Gazette*. The reasons for the issue of the Government Order are stated in paragraph 1 thereof.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know whether any enquiry was made as to how these panchayats were being organized and what work they were doing before the issue of this Government Order?"

The hon. the RAJA OF PANAGAL :—" No enquiry was made."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, if no enquiry was made, may I know the basis on which the Government came to the conclusion as pointed out in the Government Order that the machinery hitherto working these panchayats have not done their duty properly, so that it was considered necessary to have the co-operation of the Collectors?"

The hon. the RAJA OF PANAGAL :—" It does not mean that the machinery hitherto employed in the formation has not done its work properly.

But it is considered that if the sympathies of the District Officers are enlisted, the work will be done better."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know, Sir, if the enquiry made by the Government so far has shown that during the last two or three years the Collectors have taken no initiative in the organization of the panchayats, and if so, in how many cases?"

The hon. the RAJA OF PANAGAL :—" The question is on the assumption that an enquiry has been made. I said there was no enquiry made."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I take it that it is merely the impression of the hon. the Minister that an association of the Collectors in the formation of the panchayats will secure better results even without an enquiry."

The hon. the RAJA OF PANAGAL :—" Yes "

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know, Sir, if at least the advisory committees of local and municipal administrations were consulted before the Government Order issued?"

The hon. the RAJA OF PANAGAL :—" The advisory committees were consulted "

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Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ May I know, Sir, if the Registrar of Panchayats has been consulted and his opinion secured before the Government Order issued ? ”

The hon. the RAJA OF PANAGAL :—“ He was consulted.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ May I know if other honorary officers in the Presidency consisting mostly of honorary workers have been consulted before the issue of the Government Order ? ”

The hon. the RAJA OF PANAGAL :—“ No.”

The hon. the PRESIDENT :—“ The hour allotted for questions having expired, the Council will now proceed to the next item.”

Contributions to panchayats by local boards in South Arcot district

* 1398 Q.—Mr. R. SRINIVASA AYYANGAR. Will the hon. the Minister for Local Self-Government be pleased to state:—

(a) whether any local boards in South Arcot district have contributed funds to the panchayats within their jurisdiction; and

(b) if the answer be in the affirmative to state the panchayats to which contributions have been made and the amount thereof?

A—(a) & (b) The Tiruvivanam Taluk Board has contributed to the funds of certain panchayats as noted below :—

Name of panchayat				Amount.		
				RS.	A.	P.
(1)	Sevalaipurai	...	...	30	0	0
(2)	Vidur	...	...	165	8	0
(3)	Avalarpet	...	...	100	0	0
(4)	Saram	...	...	20	13	0
(5)	Vellimedupet	...	...	35	0	0

The Vriddhashalam Taluk Board has resolved to make over its income from the following sources derived from panchayat areas to the village panchayats concerned :—

- (i) the whole of the *net* income from the profession tax.
- (ii) the *net* income from licence fees levied under section 193 and schedule VII of the Madras Local Boards Act, 1920.
- (iii) The *net* income from the tax on 2 C. trees and from the sale-proceeds of the usufruct of other Taluk Board trees.

The Taluk Board has also resolved to make over to the panchayats concerned the annual maintenance allotments for the taluk roads situated within the panchayat area.

Levying of taxes by the Therakupatti Village Panchayat.

* 1399 Q.—Mr. Chavadi K. SUBRAHMANYA PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state whether the imposition of all the taxes levied by the President of the Therkupatti Village Panchayat was made with the approval of the President, Tinnevely Taluk Board, and, if so, what are the taxes so levied?

A.—The President of a Taluk Board has nothing to do with the imposition of taxes by a Village Panchayat.

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The President of the Therkupatti Village Panchayat.

* 1400 Q.—Mr. Chavadi K. SUBRAHMANYA PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the President of the Village Panchayat, constituted under the Village Panchayat Act in Therkupatti village, Tinnevely taluk, was an accused in criminal cases on more than two occasions; and

(b) whether it is a fact that a faction is existing in the village between the Pallars headed by their casteman—the President—on the one side and Shepherd and Muhammadan communities on the other side?

A.—The Government have no information.

The finance of the Therkupatti Village Panchayat.

* 1401 Q.—Mr. Chavadi K. SUBRAHMANYA PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state what is the total collection of taxes of the Therkupatti Village Panchayat, Tinnevely taluk, up to date and what improvements have been done out of the taxes so collected since the date of its constitution, and if no improvements were done, how the funds of this village panchayat have been utilized?

A.—The Government have no information.

Depressed Classes.*Non-appointment of an Adi-Andhra as a Superintendent of Labour Schools.*

* 1402 Q.—Mr. R. VEERIAN: Will the hon. the Home Member be pleased to state with reference to question No. 957 answered at the meeting, dated 5th November 1925, whether an Adi-Andhra, holding trained teachers' certificate of secondary grade having experience of a teacher for several years, was available for appointment and was actually recommended by the District Educational Officer and the District Board President but has not been appointed by the District Collector?

A.—An Adi-Andhra possessing the qualifications stated applied for the post through the District Labour Officer and the District Educational Officer. His application was received by the Collector of East Gōdāvari after the post had been filled up.

Boilers and Prime-movers.*Names and qualifications of boiler inspectors and factory inspectors.*

* 1403 Q.—Mr. P. C. VENKATAPATI RAJU: Will the hon. the Home Member be pleased to state—

(a) the names, qualifications and the pay of (i) the boiler inspector, (ii) of the factory inspectors; and

(b) whether at the time of inspection of the factory, the factory inspectors inspect also the boilers in the factory?

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A.—(a)

(i) *Boiler Inspectors.*

- (1) Mr. G. L. W. O'Brian—M.I.Mech.E.; fully qualified Mechanical Engineer and holds first-class certificate in same; Factory and Railway experience abroad; fourteen years as Chief Inspector of Boilers and Prime-movers Department during which time was also responsible for design and upkeep of all drainage and water-supply schemes and stations; also held charge of Factory Inspection Department in 1905 and 1908-1909—Pay Rs. 1,000.
- (2) Mr. J. L. Thompson—A.M.I.Mech.E.; fully qualified Mechanical Engineer and holds first-class certificate in same; sailed as Chief Engineer of steamers; Engineer-Surveyor to Home Insurance Company, Manchester, for two years; twelve years as Inspector in Boiler Department; officiated as Chief Inspector on two occasions—Pay Rs. 700.
- (3) Mr. S. A. Davis—Qualified Mechanical Engineer and holds second-class certificate in same; sailed as Second Engineer on steamers for several years and Chief Engineer of mills ashore; seven years as Inspector in Boiler Department—Pay Rs. 640.
- (4) Mr. O. W. Baskett—Practical Mechanical Engineer; sailed as Assistant Engineer on steamers and Assistant Engineer in mills ashore; also as Engineer and Manager in mills; five years as Inspector in Boiler Department—Pay Rs. 490.
- (5) Mr. W. A. Baskett—Practical Mechanical Engineer; Engineer and Manager in mills and Assistant General Superintendent, Public Works Workshops and Stores, Madras; officiated as General Superintendent, Public Works Workshops and Stores, Madras; three years as Inspector in Boiler Department—Pay Rs. 430.
- (6) Mr. H. Knight—Qualified Mechanical Engineer and holds first-class certificate in same; sailed as Chief Engineer of steamers and Chief Engineer in mills ashore; one year as Inspector in Boiler Department—Pay Rs. 430.

(ii) *Factory Inspectors.*

- (1) Mr. S. A. Cartledge—Possesses Victoria University Sanitary Inspector's certificate; has undergone courses of study in (a) Hygiene, (b) Chemistry, (c) Building Construction, and (d) Honours Plumbing (Theoretical) and Sanitary Engineering—Pay Rs. 950.
- (2) Mr. M. Krishnaswami Ayyar—Has passed Matriculation Examination; is a Licentiate in Textile Manufacture in first class, possesses a certificate of proficiency in cotton manufacture by the City and Guilds of London Institute—Pay Rs. 580.

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- (3) Mr. G. Verghese—Has passed Matriculation Examination; holds the Diploma of Licentiate in Mechanical Engineering from the Victoria Jubilee Technical Institute, Bombay; and a certificate in 'Electrical Lighting and Power Transmission' from the City and Guilds Institute, London; is a Graduate member of the Institution of Electrical Engineers, London; possesses the Engineer's certificate of competency granted by the Bombay Government under the Bombay Boiler Inspection Act Rules—Pay Rs. 580
- (4) Mr. S. Hanumanulu—Possesses a first-class Honours Diploma of the Victoria Jubilee Technical Institute, Bombay; a first-class certificate in Cotton Spinning (preparatory and card room process) of the Honours Grade Examination of the 'City and Guilds' of London Institute; a first-class certificate in Cotton Spinning and subsequent process of the Honours Grade Examination of the same institute; and a first-class certificate in Cotton Weaving, ordinary grade, of the same institute—Pay Rs. 490.
- (5) Mr. V. A. Choudary—B.Sc. in Mechanical and Electrical Engineering of St. Andrew's University, Scotland—Pay Rs. 250.

(b) No.

Forests.

The right of way of the hill-tribes of Karadiyur.

* 1404 Q —Mr. T. ADINARAYANA CHETTIYAR. Will the hon the Home Member and the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the 'immemorial' right of way of the hill-tribes of Karadiyur village on the Shavaroy's for taking their licensed cattle to the Atur Chat Reserve has been or is proposed to be assigned to one Mrs. F. D. Short;

(b) whether it is a fact that the said Mrs. Short is already depriving the hill-tribes of their above right of way;

(c) whether it is a fact that the right of way was admitted even at the time of the Forest Settlement;

(d) whether the hill-tribes of Karadiyur village have petitioned the Conservator of Forests, IV Circle, protesting against the action of Mrs. Short; and

(e) whether the Forest officers ascertained whether it was legal to sell away the right of way admitted to exist even at the Forest Settlement?

A —(a) The road in question is not a 'right of way'; it is only an approach road made by the Forest Department to the Karadiyur rest-house. A portion of this road has already been sold to Mrs. Short, together with the bungalow site referred to in Legislative Council question No. 1405.

(b) The Government understand that Mrs. Short has not debarred the villagers from using the approach road

(c) No.

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- (d) The villagers have petitioned against the sale of the road.
- (e) The road is not a 'right of way' admitted at the Forest Settlement.

Sale of the Forest rest-house buildings at Karadiyur.

* 1405 Q.—MR. T. ADINARAYANA CHETTIYAR. Will the hon. the Home Member and the hon. the Member for Revenue be pleased to state—

- (a) whether the Forest rest-house buildings at Karadiyur on the Shevaroy Hills have been sold to one Mrs. F. D. Short for Rs. 700;
- (b) whether it is a fact that the sale of the rest-house buildings was not adequately advertised to the public; and
- (c) whether the property thus sold for Rs. 700 includes the 'immemorial' right of way of the hill-tribes of Karadiyur village?

A.—(a) The Karadiyur forest bungalow was sold to Mrs. F. D. Short of Yercaud for Rs. 730.

(b) There was no proposal to sell the building which was in a dilapidated condition till Mrs. Short made an offer for it. The Collector accepted this offer as he did not think more could be realized.

(c) The hon. Member is referred to the answer given to clause (a) of Legislative Council question No. 1104.

Jails.

Committee to investigate the settlement of Mappillas in the Andamans

* 1406 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

- (a) whether the Government have now appointed a committee to investigate the settlement of Mappillas in the Andamans;
- (b) if so, the names of the members of the Committee thereto and the terms of reference to them; and
- (c) if not, whether the Legislative Council will be consulted before the committee is appointed?

A.—The hon. Member is referred to the answer to question No. 1314.

Committee to report on the suitability of the Andamans for Mappilla colonization.

* 1407 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

(a) the reasons why the Committee to report on the suitability of the Andamans for Mappilla colonization was appointed without reference to this Council;

(b) the composition of, the terms of reference to, and the arrangements made for the work of this Committee; and

(c) whether the Government have decided to suspend for a period of six months the scheme relating to the colonization of Mappillas in the Andamans in view of this enquiry?

A.—The hon. Member is referred to the answer to question No. 1314.

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Deputy Collectors.*Deputy Collectors trying suits under Estates Land Act.*

* 1408 Q.—The RAJA OF RAMNAD Will the hon. the Member for Revenue be pleased to state—

(a) how many Deputy Collectors are exclusively trying suits under the Estates Land Act;

(b) in what all places they are stationed; and how many of them are B.A., B.L.'s;

(c) how many of the Deputy Collectors are B.A., B.L.'s, and

(d) if as a matter of fact the number of B.A., B.L.'s available exceed the number of Deputy Collectors trying suits, what accounts for Deputy Collectors who are not B.A., B.L.'s being posted for trial of suits?

A.—(a) Two.

(b) One in the Ramnad district and the other in Vizagapatam and Ganjam districts. The latter is a B.L.

(c) Sixteen.

(d) The Government do not consider it essential that a Deputy Collector should be a B.A., B.L., in order to be competent to try rent suits, but officers possessing this degree are posted to such work whenever this can conveniently be done without detriment to the demand for their services elsewhere.

Famine.*Alleged famine in Arantangi, Tanjore district.*

* 1409 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Member for Revenue, the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) whether it is a fact that there is famine in Arantangi, Tanjore district;

(b) whether it is a fact that about five thousand people have emigrated to Ceylon; and

(c) whether the Government have considered the question of giving relief to the affected area by putting into execution the proposal for the construction of the Arantangi-Karaikudi Railway?

A.—(a) The answer is in the negative.

(b) During the quarter ending 30th September 1925, 24,361 persons emigrated to Ceylon from the whole Presidency. The Government have no information as to how many of these were from Arantangi.

(c) The line has been included in our programme of construction for 1926-27.

Minor Irrigation.*Diminishing capacity of tanks in Anantapur district*

* 1410 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the capacity of tanks in Anantapur district is getting diminished; and

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(b) whether Government have taken or propose to take any steps to maintain the original capacity of the tanks and if so, in what cases?

A.—(a) Yes.

(b) The Collector has asked for a sum of Rs. 51,350 for Minor Irrigation works in the district during 1926-27 as against an average expenditure of Rs. 24,000 for the five years ending 1924-25. The budget is under the consideration of Government.

Srirangam Temple.

Alleged contribution of Rs. 50,000 a year to Srirangam Temple by a ruler 100 years back.

* 1411 Q.—Mr. C. V. VENKATARAMANA AYYANGAR. Will the hon. the Member for Revenue be pleased to state—

(a) whether he has seen or is aware of a communication from the Sthalathars of Srirangam to the Collector of Trichinopoly, dated 10th November 1823, in which it is stated that 57 villages were held by a Muhammadan ruler on lease and that he was paying fifty thousand rupees a year to the Srirangam temple; and

(b) whether he will be pleased to lay a copy of it on the table of the Council?

A.—(a) & (b) Search has been made and no such communication can be found either in the Government records or in the records of the office of the Collector of Trichinopoly.

Survey.

Resurvey in the taluks of South Kanara.

* 1412 Q.—Mr. J. A. SALDANHA Will the hon. the Member for Revenue be pleased to state—

(a) in how many taluks of the South Kanara district the resurvey has been completed and in how many taluks it has begun;

(b) whether the resurvey of the Mangalore taluk has been sanctioned and begun;

(c) where the Resurvey office for the South Kanara district is located at present;

(d) if the resurvey of Mangalore and taluks other than the taluk of Kasaragod has been commenced, whether Government contemplate transferring the Survey office to Mangalore;

(e) whether it is a fact that the old post office building with several rooms and sufficient accommodation for a Survey office is available at Mangalore with a rent of about Rs. 110 per month; and

(f) whether other bungalows with some temporary additions if required, are not available?

A.—(a) The resurvey of the Coast villages of the Kasaragod taluk is in progress. The resurvey has not commenced in any other taluks.

(b) No. The question is under consideration.

(c) Cannanore.

(d) The resurvey of these taluks has not yet commenced.

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- (e) & (f) The Government have no information other than that contained in answers to clauses (b) and (c) of question No. 248 asked at the meeting of the Legislative Council held on 20th August 1925.

Village Establishments.

Discouraging village officers from taking part in political activities.

* 1413 Q.—Srimau SASIBHUSHAN RATH Mahasayo: Will the hon. the Member for Revenue, the hon. the Member for Finance, the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) whether a Government Order has been issued to Collectors asking them to use their authority over village officers to discourage them from taking part in political movements of every description or in any political elections;

(b) what led Government to issue that Government Order; and

(c) what Government mean by 'political elections'?

A.—(a) & (b) The hon. Member is referred to the answer to question No. 1327.

(c) The Government had in mind elections contested in the interests of a political party.

Village establishments before regrouping of villages.

* 1414 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Revenue be pleased to give—

(a) the number of village munsifs, karnams and village menials in the beginning of each of the years 1922-23-1924-25; and

(b) the number of village munsifs, karnams and village menials whom the Government intend appointing newly when the scheme of redistribution of villages is fully given effect to?

A.—(a) The figures according to the Budget Estimates of the Board of Revenue are as shown below:—

	1922-23.	1923-24	1924-25.
Village munsif	22,772	22,029	20,635
Karnams and Assistant karnams.	22,157	21,715	20,763
Triune officers	3,539	3,529	3,621
Menials	69,557	63,123	58,525

(b) No final orders of the Government have yet been passed.

Elections.

Redistribution of elected seats to the Legislative Council.

* 1415 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether there are any proposals for redistribution of elected seats or for redistribution of constituencies under the proviso to rule 4 of the Madras Electoral Rules; if so, what they are; and

(b) whether the opinion of the people concerned and the Legislative Council will be ascertained before final orders are passed?

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A.—The hon. Member is referred to the proceedings connected with a resolution on the subject moved at the meeting of the Legislative Council held on the 16th December 1925.

Legislative.

Action taken by the Government on resolutions passed by the Council.

* 1416 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member, the hon. the Member for Revenue, the hon. the Home Member and the hon. the Member for Finance be pleased to place before the House—

(a) a statement showing the action taken by Government on resolutions of general importance passed by this House during the last session, with reasons for refusing to accept them in cases of refusal ; and

(b) another statement showing the action, if any, taken by the Government on token reductions in grants passed by this House during the last budget debates, with reasons for refusing to accept the recommendations ?

A.—(a) A statement showing the action taken by the Government on resolutions of general importance passed by the Legislative Council during a session is usually placed on the Council table by the Secretary, Legislative Council, at the subsequent session. The latest statement placed on the table is printed at pages 546–547 of the proceedings of the Legislative Council, dated the 21st August 1925.

(b) Nine token reductions were passed by the Council during the last budget debates. The information required by the hon. Member is tabulated in the subjoined statement :—

Demand number.	Head of account.	Amount of reduction voted by the Council. rs.	Nature of the recommendation made and the action taken thereon by the Government.
1. I ..	5 a. —Land Revenue charges of Administration— i. Subdivisional establishments— Total—Voted.	1,000	The specific recommendation to the Government was that remission of land revenue might be granted on double crop lands in the Malabar and the South Kanara districts which lost their first crop by the floods of 1924 but on which second crops were raised. In South Kanara the assessment for the first and second crops taken together was fixed during the settlement at the favourable rate of one and a quarter of the single crop rate with the express object of obviating the need for remission. In Malabar the ordinary remission rules apply. For these reasons the Government decided that compliance with the recommendation would be unjustifiable in the public interests.
2. I ..	5-b. Land Revenue —Survey and Settlement— Revenue Settlement (Total— Voted—under sub-heads v and vi).	1,000	The hon. Member wanted to simplify and curtail resurvey and resettlement operations with a view to reducing cost. The question was investigated by Government and orders were issued in

G.O. No. 1711, Revenue, dated 4th November 1925. A copy of the orders is placed on the table.

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Demand number.	Head of account.	Amount of reduction voted by the Council.	Nature of the recommendation made and the action taken thereon by the Government.
		RS.	
3. III..	7 A a. Stamps—Non-Judicial—Charges for sale of stamps—i. Presidency town—Total—Voted.	100	The Government decided that under the present financial conditions no proposal for reducing taxation could be entertained.
4. VI ..	15 a. (2) Irrigation works - Works for which neither capital nor revenue accounts are kept—Minor irrigation—Total—Voted.	1	The hon. Member raised the question of the inadequacy of the expenditure on the maintenance and repair of minor irrigation works in charge of the Revenue Department. The Board of Revenue was consulted on the question. The Board has submitted proposals for increasing the Minor Irrigation staff and the expenditure on minor irrigation works. The proposals are under consideration.
5. X ..	22. R.A.F. General Administration—Heads of provinces and Executive Councils—Executive Council—Allowances—Voted—Traveling allowance.	1	The mover urged a reduction of the pay of the Members of the Executive Council and the Ministers. No action was taken thereon as the matter is not within the powers of His Excellency the Governor in Council.
6. X ..	22. R.A.F. General Administration—Heads of Provinces and Ex-Councils—Executive Council—Total—Voted.	100	The object of the motion was to press for a reduction in the number of members of the Executive Council. No action was taken thereon for the same reason as in the case of item 5.
7. XIV.	26-c. Police—District Executive Force—(i) District Police—Pay of establishment—Voted.	1	The specific point urged on the attention of the Government was that the agency of Inspectors of Police might be abolished. The attitude of the Government was fully explained by the hon. Member in charge of Police in his speech on the motion. No action was taken.
8. XII	24-a. Administration of Justice—(i) Judges and Registrar—Total—Voted.	1	It was suggested to the Government that recruitment to the office of Registrar of the High Court should be made either from the Provincial Service (Judicial Branch) or from the Bar. As the appointment of the Registrar vests in the Chief Justice under clause 8 of the Letters Patent no action was taken on the suggestion.
9 XIII	25-a. Jails and Convict Settlements—Jails—(ii) Presidency Jails—Supplies and services special—Dietary charges.	100	Three points were raised in the course of the debate : (1) that no racial discrimination should be made as regards the diet given to prisoners, (2) that the quality of the diet given in jails might be regulated with reference to the kind of work which the convict was asked to do and (3) that the quality of diet supplied by contractors was not always good. The points were answered by the hon. Member. No action was thought necessary for the reasons given in the hon. Member's speech.

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Irrigation.

Breaches in the Nanguneri kal.

* 1417 Q.—MR. P. N. MARTHANDAM PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether there have been any breaches in the Nanguneri kal during the recent floods—the channel from Kalakad that leads into the Nanguneri tank;

(b) what arrangements have been made for closing up the breaches;

(c) whether any anicuts near the Karumbaddiammankovil have been washed away or damaged prior to the floods;

(d) the reason for the delay in rebuilding the said anicut; and

(e) whether the water-supply to the tanks concerned are materially affected thereby and the representations to Government by the villagers affected have not been attended hitherto?

A.—The Government have called for a report and the Chief Engineer hopes to send it by the middle of February.

Police.

Readers for Deputy Superintendents of Police

* 1418 Q.—MR. V. PANTULU AYYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that a bureau at Vellore send shorthand Sub-Inspectors throughout the presidency to take notes at political meetings and whether the travelling allowance paid to these Sub-Inspectors forms a considerable item of expenditure;

(b) whether there also exist Readers for Deputy Superintendents of Police who are paid a shorthand allowance of Rs. 15 besides their pay of Rs. 35;

(c) what the necessity for maintaining Readers for Deputy Superintendents is; and

(d) whether the Government have considered the desirability of removing the shorthand writers and placing a shorthand Sub-Inspector under each Deputy Superintendent?

A.—(a) Yes. The Sub-Inspectors draw travelling allowance at the ordinary rates.

(b) Reader clerks who were attached to Subdivisional officers, and had passed the intermediate examination in shorthand, were at one time given a shorthand allowance of Rs. 15 per mensem each. These allowances were withdrawn in 1924, but such clerks as were receiving the allowance at the time of the issue of this order, were allowed to continue to draw the allowance so long as they remained reader clerks and were actually employed on shorthand work.

(c) One reader clerk is all the clerical staff allowed to a Police Subdivisional officer, and is necessary in order to enable the Subdivisional officer to devote his attention to his more responsible duties. The reader clerks were appointed as a measure of economy in the place of Sub-Inspector readers.

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- (d) The Government do not consider it desirable to place a shorthand Sub-Inspector under each Subdivisional officer in place of the existing writers

Transfer of personal clerks of Deputy Superintendents.

* 1419 Q.—MR. V. PANTULU AYYAR: Will the hon. the Law Member be pleased to state whether the Government have considered the desirability of ordering periodical transfers of personal clerks of Deputy Superintendents?

A.—On the replacement of Reader Sub-Inspectors by reader clerks it was not found possible to carry out the order previously in force that readers should be changed frequently and should not be retained in the appointment for more than twelve months. The order, however, according to which no clerk should be kept at the same work for more than two years except with the special sanction of the District Superintendent of Police applies to the present readers. The Government do not consider that any other orders are necessary.

His Excellency the Governor's visit to Tuticorin.

* 1420 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether Government have taken any action on the resolution of the Bar Association of Tuticorin in regard to an insult offered by the local police to a member of the Tuticorin Bar Association on the occasion of the Governor's visit to Tuticorin; and

(b) if not, why not?

A.—The hon. Member is referred to the answer to question No. 1175.

[*Note.*—An asterisk * at the commencement of a speech indicates revision by the Member.]

III

MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE REGARDING THE REFUSAL OF THE GOVERNMENT TO ACCEPT CERTAIN RECOMMENDATIONS OF THE EXCISE LICENSING BOARD.

* MR. T. ADINARAYANA CHETTIYAR:—"Mr. President, Sir, I wish to move the adjournment of the House to draw attention to a matter of urgent public importance, namely, the order of the Government refusing to accept the recommendation of the Excise Licensing Board, Madras, to close one tavern, one arrack shop and one opium shop during the ensuing year, the sales for which are to take place on the 17th day of this month."

* The hon. the PRESIDENT:—"Before I proceed to rule in regard to this question, I wish to ask the Minister for Education, if he has anything to say."

MR. C. RAMALINGA REDDI:—"May I raise a point of order before the hon. Minister begins to address? I submit to you, Sir, that if motions of this nature for adjourning the business of the House are to be moved with reference to specific grievances that may be brought forward we won't be able to transact the business for which we have been summoned at all."

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There are Bills to come up, questions of large interest, and if all that is to be postponed in order to discuss some particular grievance that may be caused or is likely to be caused by any Government Order and if this is to form a precedent for similar motions, I submit to you that most of our time would be mortgaged for these smaller questions."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I know how this is a point of order? So long as the rules allow us to make motions for the adjournment of the House, whether there is official business or non-official business, we are entitled to ask the leave of the House."

* The hon. the PRESIDENT :—" I want some enlightenment that will help me to decide whether this motion is or is not in order. I should like the Minister for Education to say what the question refers to."

* The hon. Rao Bahadur Sir A. P. PATRO :—" I do not know. It is a surprise to me. I do not think there is any order of Government in the matter. It is the Board of Revenue that deals with these matters. On the face of it, it seems to me that there is no order of the Government."

* Mr. T. ADINARAYANA CHETTIYAR :—" Sir, I am prepared to amend the wording of the resolution, if necessary. But the Board of Revenue is part of the Government and it has dealt with this matter, and as far as we are concerned, it is Government. Of course, it is open to the hon. Minister to issue other orders modifying the orders of the Board of Revenue. But to-day, the only order we have to deal with is the order of the Board of Revenue, and it is part of the Government. We take it therefore as an order of Government. As regards the urgency, the auction takes place on the 17th. We have got only four clear days before us. Therefore I submit, Sir, this is a matter of urgent public importance."

* The hon. the PRESIDENT :—" Has the hon. Member given any opportunity for the hon. Minister to modify that order? Has he asked the question whether he is willing to modify that order or contemplates to modify that order? It is only in case he refuses to do so that the matter would become urgent."

Mr. C. RAMALINGA REDDI :—" Sir, my second point of order is this. We do not know anything about the Board's Standing Orders. It is not a thing which is placed on the Editors' Table, nor is the Board a matter of such notoriety that all the papers dealt with it come to our knowledge. It seems to me, therefore, on this ground also it would be inadvisable to allow this motion."

* Mr. S. SAIVAMURTI :—" On the two points of order raised by my friend—time brings its own sweet revenges—I am very glad to find that my friend is trying to help his friend the hon. the Minister for Excise in trying to raise these points of order. May I submit to you, Mr. President, that fortunately for us and unfortunately for him, our rules and standing orders are quite clear with regard to the conditions under which such motions for adjournment of the business can be taken up. And so long, Sir, as those motions conform to the rules and standing orders, we are entitled to move adjournments every day when the Council sits here. The argument, therefore, that because we are moving such motions, it will conflict with the business, may

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be the reason why he and his friends may refuse to rise in support of this motion if it is opposed. But to say that though we are in order because he thinks that the business would be affected, it is out of order, is something which is possible only for him. As regards his second point of order, it seems to me it argues ignorance of the elements of Parliamentary procedure."

* The hon. the PRESIDENT :—" Before the hon. Member adverts to the arguments of Mr. C. Ramalinga Reddi, may I ask him to confine himself to statements from which I can make up my mind whether to allow this motion or not ; because to allow an argument on points of order by members would lead us very far ? "

* Mr. S. SATYAMURTI :—" I was simply meeting his second point that he was taken by surprise, that he did not know the Board's Standing Orders. I submit that the very object of such motions for adjournment is to take everybody by surprise. If it is a case of giving notice to every one, that is a different matter. You will notice, Sir, if you turn to Standing Order No. 20, ' Leave to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance must be asked for . . . ' If you will turn now, Sir, to Rule No. 12 . . . "

* The hon. the PRESIDENT :—" I wish to know from the hon. Member in regard to the point that I raised whether he has addressed the Minister and has received no proper reply. "

* Mr. T. ADINARAYANA CHETTIYAR :—" Three days back, I addressed to the Minister a letter giving him notice of my intention to interpellate about this particular matter in the Council and requesting him to waive notice—a courtesy which we have been accustomed to receive from the Treasury Benches. The hon. gentleman was not kind enough to reply to my letter. Then I sent a letter formally through the Secretary of this Council, and I was told by the Secretary later on in the course of the afternoon that the hon. Minister had refused to waive notice. Therefore, Sir, I have been compelled to have recourse to this procedure."

* The hon. the PRESIDENT :—" Would the hon. Minister be able to furnish the information before this meeting is over ? "

* The hon. Rao Bahadur Sir A. P. PATRO :—" I do not know, Sir. I received some communication from your office asking whether I can waive notice in connexion with this matter. I said we did not know anything about it and as it is the Board of Revenue that deals with it, it would take time. If proper time is given, the information will be obtained."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I submit, Sir, it is not merely a question of supplying information, but it is a question referring to the recommendation of the Excise Licensing Board which was rejected by the Board of Revenue with the result that these shops will be sold in auction within a few days and you will not be able to revoke the licence until a year lapses ? It has always been said that the recommendations of the Excise Licensing Board are not usually revoked by the Board of Revenue. I suppose even two days ago—the other day, in the course of the famous debate on the

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Excise policy—the hon. the Minister gave expression to that statement. It is our desire to make this Council know that it is usual for the Board of Revenue to revoke these decisions and to put the City of Madras to difficulties.”

* The hon. the PRESIDENT :—“ Has Mr. Marjoribanks anything to say on this matter ? ”

* The hon. Mr. N. E. MARJORIBANKS :—“ I have nothing to say, Sir.”

* The hon. the PRESIDENT :—“ I have only to see whether the motion is in order. I consider that the motion is in order. I shall read the statement to the Council. Mr. T. Adinarayana Chettiyar intends to move the adjournment of the business of the House to discuss a definite matter of urgent public importance, to wit, the order of the Government refusing to accept the recommendation of the Excise Licensing Board, Madras, to close one tavern, one arrack shop and one opium shop during the ensuing year, the sales for which are to take place on the 17th day of this month. I have to ask whether any objection is taken to this motion being moved ”

* The hon. Rao Bahadur Sir A. P. PATRO :—“ I have to object.”

* The hon. the PRESIDENT :—“ Will such of the Members as are for the motion rise in their places ? ”

(After a pause.)

As more than 20 Members have risen, I appoint to-day 2-30 p.m. for this motion being taken up.

IV

DURATION OF THE PRESENT SITTING OF THE COUNCIL.

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ There are two matters which I desire with your permission, Sir, to get the opinion of the House upon.” 12-15 p.m.

Mr. P. ANJANAYULU :—“ Sir, there is one matter . . . ”

* The hon. the PRESIDENT :—“ Sir C. P. Ramaswami Ayyar is now in possession of the House.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ The question is whether we are sitting to-morrow or on Monday, after adjourning this evening. We expected to get through some official business to-day, but apparently the adjournment motion will take some time. So, may I, with your permission, suggest that we sit on Monday and Tuesday, if it meets with the wishes of the hon. Members of the House ? ”

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ We have already had a holiday in this week, and I do not see any special reasons for adjourning this evening and then meeting again on Monday. We will thereby be charging the Government with a lot of daily allowance, etc., and many Members who have come from the mufassal will practically be doing nothing here for those two days. Therefore, I do not see any reason for accepting this proposal.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ I really wanted to know the sentiments of the House. If it is generally felt that for motives of economy or otherwise it is far better that we go straight on with our business, I have no objection.”

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* The hon. the PRESIDENT :—" Is it the general wish of the House that we should meet to-morrow ? "

* Mr. A. RANGANATHA MUDALIYAR :—" I would like to know further, Sir, how many days the hon. the Leader of the House thinks that the official business will take. Is it 2 days or 2½ days ? "

* The hon. Sir C. P. RAMASWAMI AYYAR :—" On that matter I feel sure that the hon. Member for Bellary would have a better chance of giving information to the House than myself, because it all depends upon the debate on the Village Officers' Bill. How long this Bill and the other Bills will take will all depend on the discussions initiated by the other side of the House. So, I cannot say how long it may take. Probably it will be 2 days, or perhaps 3 days. "

Diwan Bahadur M. KRISHNAN NAYAR :—" I am very sorry to interrupt my hon. Friend, but I may submit that hon Members on this side are not able to follow what is taking place. "

* The hon. Sir C. P. RAMASWAMI AYYAR :—" The suggestion was made that the House should not sit on Saturday, but should sit on Monday and the following days. The general sentiment was that it should sit to-morrow ; so the House sits to-morrow, and then on Monday and on Tuesday. Then, the question was asked how many days the official business would take, and I said then that hon. Members from Malabar and Bellary would probably be in a better position to give information on that point, because it all depends on the line taken by the other side in regard to the various Bills. "

Diwan Bahadur M. KRISHNAN NAYAR :—" But what was the reason suggested for not sitting to-morrow ? "

* The hon. Sir C. P. RAMASWAMI AYYAR :—" That is disposed of and so I need not take it up again. " (Laughter)

Diwan Bahadur M. KRISHNAN NAYAR :—" I am sorry I did not quite catch the hon. Member. "

* The hon. the PRESIDENT :—" May I ask Sir C. P. Ramaswami Ayyar to turn his body to the Members on that side, provided he occasionally recognizes my presence by turning to me ? (Laughter.) I do not insist at all upon hon. Members facing me all the time they are speaking. "

Diwan Bahadur M. KRISHNAN NAYAR :—" May I know the reason for not sitting to-morrow, Sir ? "

* The hon. Sir C. P. RAMASWAMI AYYAR :—" As the hon. the President took the vote of the House on the matter and the House decided to sit to-morrow, the question hardly arises now. " (Laughter.)

Diwan Bahadur M. KRISHNAN NAYAR :—" May I have the courtesy of an answer from my hon. Friend so that I may know what the reason was that induced him to make the suggestion ? "

* The hon. Sir C. P. RAMASWAMI AYYAR :—" The reason was that a certain number of Members asked me to request the President not to sit to-morrow. A certain number did not want to sit to-morrow. That is the only reason. It does not matter so far as the Members of the Government are concerned whether they sit to-morrow or on some other day "

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Guindy Races ? "

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* The hon. Sir C. P. RAMASWAMI AYYAR :—" That does not affect the position ; so far as I am concerned, I do not attend the races.

" The other matter I want to mention is this. It has been suggested by some hon. Members of the House that the House should adjourn to-day at 4 o'clock in order to have an opportunity of witnessing the finals of the Military and Naval Tournament. That matter has been mentioned to me, and I have been asked to mention it to the hon. the President in order to take the sense of the House. If the House so desires, it will adjourn at 4 o'clock, and that is a matter left for you to decide in consultation with the hon. Members of the House."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—" The adjournment motion has been moved, and we cannot now say anything about the length of time that the adjournment motion will occupy. Especially on a day when an adjournment motion is to be taken up, I do not think we will be justified in negotiating as to when the debate is to close."

* Mr. A. RANGANATHA MUDALIYAR :—" Another thing, Sir. The hon. the Home Member has called for a meeting of an Advisory Committee at 5 o'clock and I do not know whether he is going to have the meeting then or not."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" It is my intention to have the meeting to-day. A very important subject is coming up before the Committee."

* The hon. the PRESIDENT :—" I think the general feeling is that we go on for the usual time."

V

ALLEGED ASPERSION ON THE DIGNITY OF THE HOUSE.

Mr. P. ANJANEYULU :—" Sir, before we proceed to the next item on the agenda, I wish, with your permission, Sir, to bring to your notice in particular, and of the hon. Members of this House also, that an hon. Member of this House was using language calculated to cast a slur not only on individual Members of this House but also indirectly on the President whose privilege it is to guard and see that hon. Members also guard the respectability and the dignity of the Members of this House. It is in connexion with a meeting of non-Brahmans held in this city in regard to the City Corporation affairs reported in the *Hindu*, dated Wednesday, February 10, and that one hon. Member, Sir K. V. Reddi Nayudu, was pleased to use language—I speak subject to correction on the basis of the report in the *Hindu* and possibly in some other newspapers also—to the effect that he found that questions were put not for purposes of public"

* The hon. the PRESIDENT :—" Order, order. Before the hon. Member proceeds further, I think it would serve the interests of the House and the interests which the hon. Member has at heart, if he raises this question when the hon. Member whose conduct he finds fault with is in the House, because probably there will be an explanation from that hon. Member."

Mr. P. ANJANEYULU :—" I shall mention it at any time which the hon. the President may be pleased to allow me, Sir."

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* Mr. J. A. SALDANHA :—" May I know whether the Council sits on Monday, Sir ? "

* The hon. the PRESIDENT :—" That depends on how we behave in respect of these amendments."

VI

ELECTION OF A MEMBER TO THE SENATE OF THE MADRAS UNIVERSITY.

* The hon. the PRESIDENT :—" Mr. U. Rama Rao, Member elected to the Senate of the University of Madras by the Madras Legislative Council, having ceased to be a Member of the Council by reason of his election to the Council of State, and *ipso facto* ceased to be a Member of the Senate, the Vice-Chancellor of the University has requested me to hold an election to fill up the vacancy. The Council will proceed under section 14 of the Madras University Act of 1923 to elect a Member accordingly. For this purpose, I prescribe 3 p.m. to-day as the latest time at which nominations of candidates will be received by the Secretary. If the number of nominated candidates exceeds one, an election will be held. Ballot papers will be distributed to the Members at any convenient time to-morrow for the purpose. The ballot papers should be deposited in the ballot box provided for the purpose before 5 p.m. to-morrow, when the counting of votes will commence. The election will be by the ordinary method and not according to the method of the single transferable vote."

VII

ELECTION OF A MEMBER TO THE MADRAS AND SOUTHERN MAHARATTA RAILWAY ADVISORY BOARD.

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Mr. President, I move—

‘ That with reference to G.O. No. 55 Ry, dated 10th December 1923, this Council do recommend to the Government to communicate to the Madras and Southern Mahratta Railway Company the name of another person elected by this Council in accordance with the arrangements made in that behalf by the hon. the President in the place of the late Mr. W. Vijayagharava Mudaliyar to a seat on the Advisory Board of the said railway."

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur seconded the motion.

The motion was put to the House and carried.

* The hon. the PRESIDENT :—" It now remains for me to lay down the method by which the election is to be held. I would suggest that hon. Members hand in nominations to the Secretary before 3 p.m. to-day. If the number of nominated candidates exceeds one, ballot papers will be distributed to hon. Members at any convenient time to-morrow for the purpose of holding an election. The election will be by the ordinary method and not according to the method of the single transferable vote. The ballot papers should be deposited in the ballot box provided for this purpose before 5 p.m. to-morrow, when the counting of the votes will commence."

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VIII

AMENDMENTS TO STANDING ORDERS Nos. 3 AND 49.

Mr. T. R. VENKATARAMA SASTRIYAR :—" Sir, this motion I made last time and it stood adjourned on the motion of my Friend, the Member for the University. However, Sir, I will formally again present the report of the Select Committee appointed to consider certain draft amendments to Standing Orders Nos. 3 and 49 of the Standing Orders of the Madras Legislative Council and move that the report be taken into consideration."

The hon. Sir C. P. Ramaswami Ayyar seconded the motion.

Mr. T. R. VENKATARAMA SASTRIYAR :—" I move, Sir, that the first clause in Standing Order No. 3 be deleted in accordance with the recommendation of the Select Committee. That clause really is a clause which is spent. It relates to the election of the first elected President. For further elections of Presidents rule 5 of the Legislative Council Rules provides. There is no need to that clause 1 of Standing Order No. 3, which is spent, to stand in the Standing Orders. On the last occasion my Friend, the Member for the University, suggested that the provision, that if the President or Vice-President should stand for election somebody else should preside over the meeting, which is to be found in one of the sub-clauses to clause 1 of the Standing Order No. 3, need not be deleted, unless there is provision in the rules about somebody else being President, should the President and Vice-President be candidates standing for election. I find, Sir, that rule 5 does not contain a provision that in the event of the President and the Vice-President standing for election, somebody else should preside over the meeting. I rather doubt, Sir, whether a Standing Order can alter a provision made in the Rules. It might, no doubt, be a recommendation to those in whom the power of making rules is vested. We might suggest to them the desirability of authorizing this Council to appoint a President of its own, if the President and Vice-President happen to be candidates for election. But, in any case, even if it could make such a provision by a Standing Order, that has to be made by an independent motion for a Standing Order to that effect, because clause 1 relates in all the three paragraphs only to the election of the first elected President. Clause 1 being spent, we are only removing what no longer is, in fact, a part of the Standing Order No. 3. Paragraph 2 of the amendment provides for the renumbering of the remaining clauses of the Standing Order."

The hon. Sir C. P. Ramaswami Ayyar seconded the motion.

* **Mr. S. SATYAMURTI** :—" Sir, I recognize what the hon. the Advocate-General suggested, namely, that by a Standing Order we may not be able to amend the Rules of the Legislative Council, with regard to the persons who shall preside at the meetings of the Council. But since, Sir, we are now asked to amend the Standing Orders, I am convinced that the hon. the Advocate-General has made out no case why we should not have the salutary and wholesome provision by which candidates to your distinguished office should not themselves preside at the meetings at which the election takes place. My hon. Friend says that Standing Order No. 3 (1) is exhausted. I agree. If it is exhausted, we shall leave it. Why should we amend it and thereby expressly take away the provision which now militates against this possibility which I consider unwholesome? I should like, Sir, to have some reason from the hon. the Advocate-General more than what

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he has given, as to why he considers this very wholesome provision should not remain in the Standing Orders. I agree, it may be argued, at the time the next election takes place, this provision is exhausted and therefore cannot apply. We shall argue it then. If it is really a surplusage, this amendment is unnecessary; but if it is not, it is mischievous. Therefore no case has been made out for clause (1) of Standing Order No. 3 being omitted."

Mr. T. R. VENKATARAMA SASTRIYAR :—" Sir, you will notice that the first three paragraphs of clause (1) all relate to the election of the first elected President. The provision, that no person who is a candidate for election as President shall preside at such meeting, relates to the election of the first elected President. For future elections, there is no provision in the Standing Order. Of course, I understand the suggestion of the hon. Member for the University that, if this paragraph is left as it is, he proposes to argue on future occasions when elections may be held that this paragraph 3 does apply to future elections. But, I submit, it is too clear for argument. All that is now suggested is that this clause (1) comprising all the three paragraphs which relate to the election of the first elected President is really spent and the recommendation, therefore, is that that clause be removed from the Standing Orders."

The motion was put and carried and the deletion was made.

Mr. T. R. VENKATARAMA SASTRIYAR :—"The decision of the Select Committee is that the Standing Order No. 49 should be left as it is."

IX

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1925-26.

Grant I.

* The hon. Mr. N. E. MARJORIBANKS :—" Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—

'That the Government be granted an additional appropriation of Rs. 51,475 under "Grant I. Land Revenue Department—Reserved—22. R.E. General Administration—District Administration—Recoveries from the Income-tax Department for work done in the assessment of income and the collection of taxes".'

"The provision for this recovery is made by reduction from the amount provided for expenditure. It was originally estimated that we would be entitled on this account to one lakh and twenty-five thousand rupees. But, as ultimately worked out on the basis of 10 per cent of the net collections minus the cost of the staff employed at the cost of the Government of India, we are only entitled to Rs. 73,525. Therefore, we have to provide for the balance. So, I ask the House to agree to this grant."

* The hon. the PRESIDENT :—"With regard to Mr. Pantulu Ayyar's amendment, I should like to know whether it comes within this particular item mentioned by the hon. the Revenue Member."

Mr. V. PANTULU AYYAR :—"It does not come, Sir."

* The hon. the PRESIDENT :—"Then I am afraid I must rule it out of order."

The motion was put and carried and the grant was made.

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* The hon. Mr. N. E. MARJORIBANKS :—" On the recommendation of His Excellency the Governor, I wish to move—

'that the Government be granted an additional appropriation of Rs. 12,000 under "Grant I.—Land Revenue Department—Reserved—22. R.E.—General Administration—District Administration—Works—Repairs" for carrying out urgent repairs to buildings in charge of the Revenue Department.'

"The allotment for petty repairs and buildings in charge of the Revenue Department which are in large number and many of them small buildings have been reduced during the last few years on account of the financial stringency. The Public Works Department brought it to the notice of the Government that this postponing of repairs would probably result in considerable expenditure having to be incurred ultimately. Government accordingly called for proposals so far as the urgent repairs were concerned and the bulk of the money necessary for that is provided in the budget estimates. But as the season for these repairs begins now, it was thought that to take advantage of the full working season such money as could be spent this year might be spent on urgent works this year. The proposals laid before the Finance Committee were accepted by them and the expenditure was estimated to be Rs. 20,000. But on a reference to the Collectors we found that they would not be able in the remaining six weeks of this year to spend more than Rs. 12,000 and therefore we have reduced our demand to this sum."

* Mr. J. A. SALDANHA :—" Mr. President, Sir, . . . "

* The hon. Mr. N. E. MARJORIBANKS :—" On a point of order, I would ask whether this amendment which refers to expenditure on new works is relevant to a motion for an additional grant for repairs."

* The hon. the PRESIDENT :—" I want to know whether the work of the repairs of these latrines are within the jurisdiction of the hon. the Revenue Member."

* The hon. Mr. N. E. MARJORIBANKS :—" I do not think it is, Sir."

* The hon. the PRESIDENT :—" Is it a fact that there are no latrines at all for Honorary Magistrates ? "

* The hon. Mr. N. E. MARJORIBANKS :—" I do not know, Sir."

* Mr. J. A. SALDANHA :—" I will take only one instance of this gross neglect. It is only typical of what takes place in other places. There is no latrine within the compound of this Fort St. George for the use of the Secretariat people. So, I want to draw the attention of the hon. the Revenue Member that this is a neglect of a very important comfort to the clerks and magistrates and establishments. I hope he will see that it is supplied not only here but also at Mangalore."

* The hon. Mr. N. E. MARJORIBANKS :—" I do not think anybody would be opposed to attending to the needs of these officers. I have no doubt the matter will receive the attention of the proper department which, I think, is the Public Works Department when the budget is framed."

* Mr. J. A. SALDANHA :—" I do not want to press it."

The motion was put and carried and the grant was made.

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Grant VII.

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Sir, on the recommendation of His Excellency the Governor, I move—

'that the Government be granted an additional appropriation of Rs. 1,00,000 under "Grant VII—Irrigation—Reserved—55. Construction of Irrigation, Navigation, Embankment and Drainage works" for the Kattalai right bank canal scheme in Trichinopoly.'

" May I dispose of two points? Mr. Saldanha has given notice of a reduction to reinforce his demand for enlightening the Council by placing before it all the schemes rendered necessary on account of the havoc caused by the floods all over the Presidency and also to ascertain the causes of such abnormal floods. I have requested the department to have a kind of table prepared of all the demands made on account of the floods and the works undertaken on account of the floods. It will be available at budget time for the information of the hon. Members so that they may have a bird's eye view of the extent of damage due to floods and the works that have been attempted in regard to them. As to the other question, viz., the cause of the abnormal floods, that is a very large matter, and I am afraid I cannot deal with it just now. Then, Sir, there is some misapprehension about the other amendment that is given. The present money is required for the completion of the Kattalai right bank canal scheme. As, however, there is a great deal of difference of opinion between the hon. Members representing Tanjore and the hon. Members representing Trichinopoly and as enlightenment is necessary on the question, I have arranged for a conference with the Chief Engineer, the Public Works Secretary and the hon. Members representing the districts. I hope the conference will take place in a day or two. Then the further question of the actual bed regulator may be discussed "

* Mr. J. A. SALDANHA —" I do not want to move my amendment."

* Mr. S. MUTTAYYA MUDALIYAR :—" I wish to move my amendment so that I may have further information on the matter."

* The hon. the PRESIDENT :—" The hon. Member may speak on the general motion."

* Mr. S. MUTTAYYA MUDALIYAR :—" The amendment I have tabled is with reference to a committee mentioned in the address presented to the hon. the Law Member at Mannargudi and certain memorials sent. Mirasidars of the Tanjore and, I believe, certain mirasidars of the Trichinopoly districts wanted a joint committee of the representatives of the two districts, of the representative people of the two districts and an experienced officer of the Government to go into this question and then embark on something which will be advantageous to the Trichinopoly people without prejudicing the rights of the Tanjore people. I understand from the hon. the Law Member's statement that he proposes to form a committee. I hope this will be a preliminary to the final committee later on. I wanted to raise this question so that it might not be said later on that all the money required for the Kattalai right bank has been spent, or that the question of the Kattalai dam should not be raised. If the money which is proposed to be spent now is not in connexion with the Kattalai dam at all or in connexion with any other scheme which would become unnecessary if the scheme regarding the

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Kattalai dam is to be dropped, there is no objection to this grant. But there will be objection to this grant if it is said that a lot of money has been spent on it and therefore the Kattalai scheme ought to materialise. I place these views before the House so that I may have information on the matter."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—" Sir, before the hon. the Law Member replies, I wish to point out one or two points in connexion with this grant. The note supplied to us on this grant informs us that the hon. the Law Member got the expenditure for this purpose certified by His Excellency on two previous occasions. It tells us that a sum of 10 lakhs is the estimated cost of this work. I believe it is a very extraordinary expenditure, however reasonable and however necessary it may be, in the sense that it is a very heavy expenditure. The first certification was for a sum of four lakhs in the month of April. The Council was sitting till the end of March; the work was felt necessary or emergent much earlier than March seeing that the flood havoc was caused in 1924 and the preparation of the necessary estimates therefore should have taken a long time. Now, therefore, the question is whether the hon. the Law Member is justified in not bringing the huge sum required for expenditure on the scheme before the House in time and simply keeping quiet and having the heavy expenditure of 4 lakhs for a new work certified some days after the Council adjourned. We know that another sum of 2 lakhs was certified by His Excellency very recently on the 20th January 1926. In view of the fact that the Council was sitting till the 18th December 1925 and was to sit again on the 8th February, it is very extraordinary that the hon. the Law Member should resort to this method and have 2 lakhs certified by His Excellency during the interval. If clearly there was an estimate already submitted by the Public Works Department for an expenditure of 10 lakhs, and if he got the amount by certification during April, what was the justification on the part of the hon. the Law Member for not placing the scheme before the House at its sittings from August 1925 to 18th December? And, again, why should he not, having waited for such a long time, wait till 8th February 1926 and avoid certification? It seems to me that it is extraordinary that he should come forward with this small sum of 1 lakh after having got certified an expenditure of 6 lakhs. Really, if he wanted to pursue this policy of certification, he ought to have waited two days more and got certified a further sum of 1 lakh. I do not understand for a moment why this extraordinary procedure was resorted to, and why this provision of the much-cursed Government of India Act is being availed of by the hon. the Law Member. In order to bring this to prominent view, I oppose this grant."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Sir, I realize the force of many of the remarks that have fallen from the hon. Member who spoke just now. If, as a matter of fact, during the time when the Council was sitting we could have foreseen that this particular work in all its details was necessary, we could have come to the Council; but there was difference of opinion on the matter, difference of opinion in the department, difference of opinion between the representatives of the Tanjore district and the Trichinopoly district on the general methods that were to be pursued. And the urgency arose because water was found to be very short, and the work became urgently necessary and so the expenditure was authorized. It was found that water could not be brought down into the Vaiyakondan if the necessary sum was not found and therefore, the expenditure was authorized

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and the work was urgently started. The Engineers discovered this and made it clear to us that the whole agricultural operation as to certain crops will be at a standstill unless that scheme was sanctioned. It was (for that reason and because I confidently anticipated that the representatives of the tracts affected would realize the urgency of the matter and that they would use their good offices with the hon. Members of the House in realizing that it was an urgent matter that I took that step. I confidently say that those whose lands are to be served by the work would be able to assure the hon. Members of the House that the matter was extremely urgent and that the scheme was finally settled at short notice. I realize, as I said, that normally speaking, authorization would not have taken place."

The Demand was put and carried and the grant was made.

* The hon. C. Sir C. P. RAMASWAMI AYYAR :—" Sir, I move

'that the Government be granted an additional appropriation of Rs. 94,200 under "Grant VII--Irrigation--Reserved" for the repair of flood damages in Tinnevely.'

"I may say that Tinnevely district has been very unfortunate because it has been subject to many mishaps of this kind. What has happened just now is that there are 23 breaches in the Maruthur Kilakal and 8 breaches in the North Main channel and for these about Rs. 90,000 are required. The rest of the sum included in this grant is for the purpose of carrying out emergent works required for conserving water in the Thamraparai for the successful harvest of the *pisanam* crop. I am sure hon. Members coming from Tinnevely will realize that this is a matter on which the prosperity of the *pisanam* crop depends."

The Demand was put and carried and the grant was made.

Grant X.

* The hon. Mr. N. E. MARJORIBANKS :—" Sir, on the recommendation of His Excellency the Governor, I move—

'that the Government be granted an additional appropriation of Rs. 26,363 under "Grant X—General Administration—Reserved—51—A. Miscellaneous Adjustment between Central and Provincial Governments" on account of payment of a share of the subventions paid in the United Kingdom for the encouragement of schools of oriental teaching in Universities and other approved institutions for the benefit of probationers in the I.C.S. and I.F.S.'

"I understand that this provision is intended for providing lectures at which the various vernaculars of the different provinces of India are taught. The amount at present given to the University of Oxford is £1,500, to the University of Cambridge, £1,500, to the School of Oriental Studies, London, £1,000, and to the Trinity College, Dublin, £300. This expenditure is incurred by the Secretary of State in the first instance and then divided between the different local Governments in India with reference to the proportion of the sanctioned posts of the two services in each province to the sanctioned strength of those services for the whole of India. For some reason which I am not able to state as I do not know it, the demand was not made for the last four years. We now heard from the Government of India asking that the amount which falls to the share of this Government should be adjusted. For that reason, I move that this Council do make this grant."

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Diwan Bahadur M. KRISHNAN NAYAR :—" I wish to raise one question with reference to this grant. So far as I am aware, this is the first time in which a question like this comes before the House. No doubt, I find from the note furnished to us by the hon. the Revenue Member that this practice has been in existence since 1892, so that apparently this is hallowed by custom. However, I wish to know why this Government should bear any portion of this expenditure. Apparently the expenditure is incurred on these two services mentioned in the note and both of them are All-India services—Indian Civil Service and Indian Forest Service. So I think this is a burden that should be borne by the Government of India and not by the Provincial Governments. I am not actually opposing this grant, but I wish to make that question clear. For, I believe this is a question which ought to be discussed on the floor of the House. I do not see any reason why this burden should be imposed upon the revenues of this province."

* The hon. the PRESIDENT :—" I think the hon. the Member for Revenue said that it is only a portion of the burden."

Diwan Bahadur M. KRISHNAN NAYAR :—" It is against this *portion* which has been asked of us for the first time that I am complaining. It may be that the other provinces also have to pay their share of it. Let them raise the question, if necessary. I think it is necessary that we should raise our voice of protest against this imposition on us of a burden which I think should be properly borne by the Central Government and not by us."

Mr. J. A. SALDANHA :—" Mr President, I want to know what sort of oriental learning is imparted in these centres. My own experience is that although some of these I.C.S. and I.F.S. men take a sympathetic interest in and are eager to learn oriental subjects, a large number of them arrive in India in profound ignorance of many things about the East which they ought to know. I may mention a recent instance in point, even though the officer concerned does not belong to these two services. He belongs to a kindred service, and he is the Principal of the Coimbatore Agricultural College. This officer relegated to the vacation all leave which the boys are entitled to for festival days. This shows culpable ignorance of the customs and religious practices of Indians. I can say the same thing of several other officers. I have a good deal of experience of the teaching of what is called oriental learning as a Member of two societies promoting oriental learning. Having said this much, I must say to the credit of some of the officers that they are taking a keen interest in promoting oriental learning in this Presidency."

" My question is how many officers belonging to these departments in this Presidency take interest in the development of the vernaculars. I know there are many officers who have done honour to oriental learning who have published Indian tales, men like Kincaid, the President of the Anthropological Society. I wish to know what they have really learnt in these University Centres. So many who arrive in this country are ignorant of the customs and manners of the East. I wish to know what is really being done with regard to the encouragement of oriental studies. I should be glad if the hon. the Revenue Member would enlighten us on this subject before we agree to sanction this grant." 1 p.m.

* Mr. S. SATYAMURTI :—" Sir, I rise to oppose this motion. My hon. Friends who spoke before me were willing to wound but afraid to strike. I have no such qualms of conscience. I feel that the hon. the Revenue Member

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with his usual fairness stated the case just as much as he could. He has not told us what he had done before these four years. He did not tell us how the liability arose. He gave us the year of 1892 and said that since then these subventions had been made. I should like to know from the hon. Member, who committed this Government and the people of this Presidency to this subvention, or a portion thereof, when and under what authority he did so? There ought to be some papers which should give some information as to why the Madras Government was called upon to pay to these Universities. Why should not our Universities be given subventions of this kind? My hon. Friend the Minister for Development is very anxious to form a Tamil University, and I am sure he would be quite glad if he were to be given these sums. Therefore, I should like to know from the hon. the Revenue Member as to why he has not given us the history of this question, the reason why the Government of this Presidency were called upon to make this contribution and why he now asks us to pay this subvention. The hon. the Revenue Member in the course of his explanation justified the demand on the ground that it was for providing for lecturers for Indian languages and Indian law. It seems to me that lecturers for Indian languages and Indian law can best be provided in this country even for these probationers. I do not think it will be denied by any Englishman in this House that Indian languages and Indian law can be better or at least equally well taught in this country as they are done in England. After all, we can teach our mother tongues better than Englishmen. I know that there are some brilliant men like my hon. Friend the Revenue Member who can talk Tamil equally well if not better than some of us, but I am sure that he also owed that knowledge to the training that he received in the Tamil language, not from the professors of the University of Oxford or of Dublin, but from some professors belonging to our country. Oriental learning can best be taught by our own countrymen, rather than by Englishmen who are foreigners to our language. As regards Indian law, Mr. President, I am sure the case is even better. Indian law can be very much better taught in India than in England. I should like to know from the hon. the Revenue Member how he arrived at these figures. He asks us for a grant of Rs. 26,363. He gave us £4,300 as the subvention made to the English Universities. Why should he make that subvention? If the members of the Indian Civil Service and the Indian Forest Service are to be recruited and are to be taught Indian languages and Indian law, that can be done here and that ought to be done here.

“I want to raise another small point, and that is—I speak subject to correction—that these probationers pay their fees to the universities, when they undergo training in Indian languages and law. Is it then double payment that these probationers are asked to pay to these universities? It seems to me that it cannot be justified either on financial, educational, or administrative grounds, because educationally these universities have no claims upon us. They have to maintain their lecturers for any groups of subjects which are taught to their pupils. Financially, we cannot do this until the claims of our own universities are satisfied. The University of Madras will be extremely glad to receive subventions of this kind. Administratively, because the teaching of Indian languages and Indian law cannot be anything like perfect if it is taught in England. For these reasons, I oppose this motion. It is not a nominal opposition. I, therefore

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beg my hon. Friends to weigh the arguments on their merits and to reject this motion. If we do not open our eyes and reject this demand, demands of this kind will probably grow in volumes, which we cannot easily get rid of."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"Sir, I am not convinced of the arguments that have been advanced by the previous speaker. I fail to see how an Indian can be secured in England on the same salary on which Englishmen or Europeans can be got in England."

Mr. S. SATYAMURTI :—"I did not suggest that Indians could be secured in England. I want that these probationers should be taught by professors of Indian languages and Indian law in India."

* Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"That remedy does not appeal to me. I am very sorry to say that the hon. Member for the University forgets that these recruits are there, I suppose, for two years and therefore that is a period in which they can conveniently learn the languages instead of coming to this country and trying to learn them for the first time. Now, I concede that education imparted in our vernaculars in this country may be superior to what is imparted in England, but that would mean wasting of two years' time in their country. It would be more convenient for them to come to this country after having learnt and acquiring some knowledge of the vernaculars of this country. It has been stated that financially we cannot afford to grant this money for the English Universities. After all, what is this amount, and is this small amount going to depreciate the value of education given here? Well, Sir, my hon. Friend said that he owed no obligation to the Universities in England. Well, Sir, perhaps it is a personal opinion and the hon. Member will pardon me when I say that there are many others who hold a contrary view."

* Mr. S. SATYAMURTI :—"You are paying for that education very heavily."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"We send our sons to England in the hope that they can receive better training and better sort of education there. I can very well understand the argument that recruiting should be stopped in England and men should be trained in this country, but once you admit the principle that the officers ought to be trained in England, I fail to see the reason advanced by the previous speaker. I therefore support the motion."

* The hon. Mr. N. E. MARJORIBANKS :—"After what has been said, there does not remain much for me to add. As regards the point raised by my Friend Mr. Krishnan Nayar, all Local Governments in India bear their share of the payment made by the Government of India on account of these professors, and the Central Government provides the money in accordance with the proportion stated in my opening remarks. The Local Governments pay not only their share of these subventions, but also the other charges on account of their recruits, such as the cost of passage and outfit. I think the candidates get also a small stipend during the time of their training."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I do not know if I can move at this stage the adjournment of this motion for some day in the next financial year."

* The hon. the PRESIDENT :—"Yes."

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* **Mr. C. V. VENKATARAMANA AYYANGAR** :—" Sir, it cannot be urged on behalf of the Government that there is anything urgent about this matter, especially as this matter has been pending for the last four years. I do not know whether the subvention that we are asked to grant will apply in the case of Indian Civil Service and Indian Forest Service alone or it will also apply to Police Service and other services. I suppose this is the thin end of the wedge and I do not know if probationers belonging to the other Imperial services will be required to be taught in Oriental languages in England or not. We want some information as to whether these Universities have been paying their professors and what the latter have been doing all these four years. If we are asked to contribute only for the last four years, that is one thing. But there are some other important points. I would ask the hon. the Revenue Member to give us some information. It is not the amount that is of much consideration. Rupees 26,000 may or may not be a very small sum. But the point is that, in future, we may be asked to pay larger sums. So, it is a question of principle; and therefore I move that this be taken into consideration in the next financial year."

* **Mr. J. A. SALDANHA** :—" Sir, I beg to second this motion. I am quite surprised at the light-hearted way in which my hon. Friend, Sir K. V. Reddi Nayudu, has treated this question. Referring to the explanatory note, I want to know what exactly the phrase 'teaching of Oriental languages' means? Is it the languages or any other subject? I also want to know how this subject did not at all come to us in the past. We want to know the history of this subject. We are not taken into confidence by the Government. Our complaint is against the Reserved half and even against the other half. I was glad when Mr. Moir told us that, whenever supplementary grants were moved, we would be taken into confidence and given all the information that we asked for. The hon. Member for the University and myself have asked a number of questions regarding this grant. Before we vote for this grant, the House has to know exactly whether the expenditure is quite necessary. We have been given a scrap of paper which does not give much information. When we ask questions, we ought to be enlightened. It is an injustice to this House that the hon. the Revenue Member should treat the House in this way. It is an insult to this House. I, therefore, support the motion for adjournment."

1-15
p.m.

Diwan Bahadur M. KRISHNAN NAYAR :—" May I make an appeal to the hon. the Member for Revenue? By adjourning this motion I believe more light can be thrown upon this question and, as far as I understand, there is no urgency about it, because it has waited so long. It can wait for 15 days or for a month more so that we can discuss it at the time of the budget. If the Government give strong reasons, the majority of the hon. Members of this House would sanction this grant. Nothing will be lost by adjourning this motion."

* **Mr. C. V. VENKATARAMANA AYYANGAR** :—" This demand may be taken up in the beginning of April. If it is taken up at the time of the budget, the fear is this item will be put as the last item of some grant so that this will be carried in the deluge without any discussion. As for the particular time, I am always amenable to any suggestion that is made."

* **The hon. the PRESIDENT** :—" It would be better if some time is fixed,

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* Mr. C. V. VENKATARAMANA AYYANGAR :—“ I would suggest that this demand might be taken up on the 27th or the 28th March when additional grants are moved.”

* The hon. Mr. N. E. MARJORIBANKS :—“ I am very sorry, Sir, with reference to the complaint made by the hon. Member, Mr. Saldanha. I thought that hon. Members were generally aware that there were probationers in these services who passed a period of preliminary instruction at the various University centres in England, that they were taught the rudiments of the different vernaculars of the province to which they were allotted, Indian Law and Indian History and that these probationers were allotted to each province. Hon. Members can hardly expect the universities to provide professors for these subjects for the few students who need them on account of the appointments made by the Indian Government. Why this money was not adjusted regularly year after year, I do not know and cannot tell the House.

“ As regards the suggestion that this motion may be adjourned for the next year, the reason why I have brought the demand before the House is that the Government of India have requested us to adjust it in the current year. That is why I am asking for an additional grant. If this amount could be paid next year, it would have been put in the budget estimate of the next year. The rule is that each province has to pay for the expenses of the probationers allotted to it. I do not see any question of principle involved in this. It is suggested that the teaching should be given here: and that there is no point in spending the probation in England. These are very different questions that scarcely arise on this motion.”

Mr. R. SRINIVASA AYYANGAR :—“ Sir, I should like to bring in one amendment, to carry out the wish of the House. I find that 16th to 26th March have been fixed for voting of demands for grants. Twenty-ninth also has been set apart for the consideration of items that may be left over. If the House has no objection, I formally move that the consideration of this item be adjourned to 29th March of this year.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ I was about to suggest the same thing. It may be on or after the 29th March.”

* The hon. Mr. N. E. MARJORIBANKS :—“ My difficulty is that even supposing it will be early enough for the purpose of the Government of India, I do not know what additional information can be gathered in that time. We know all about the probationers, the training and the money spent on them. I have explained this twice. I am sorry that hon. Members are still in the dark.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ The hon. the Revenue Member said that there was not much information to get. It is not known whether subventions will not be claimed for probationers of other services and whether the Government of India would not ask us to pay for them also.”

* The hon. Mr. N. E. MARJORIBANKS :—“ I said there was no such arrangement. If there is any such arrangement, the House will have an opportunity to object to it.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ The Government of India may ask for contributions for other departments. I specifically want infor-

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mation whether the Government of India pay any contribution; if so, to what extent. Also I should like to be informed of what was done four years ago. We also want to know whether the Government of India would not ask us to pay for probationers of other services too. Information on these matters is very important. Why not we wait for some time more? The delay is due to the negligence of the Government of India and they cannot ask us to pay it at once. We want to know whether there is no option in the matter. Therefore, I think that we may very well adjourn this motion to the 29th March."

* The hon. the PRESIDENT :—"With regard to the question of adjournment to the 29th March, may I know whether the voting of demands will be over by that time?"

* The hon. Mr. T. E. MOIR :—"I am not able to follow exactly the arguments on which the proposition for the postponement of this grant is based. As regards the question why this demand was not placed before the House earlier I can only say that this is a matter which concerns the Government of India. As my hon. Colleague said, the delay is probably due to the fact that there was considerable correspondence on the subject between the Home authorities and the Government as to the allocation of the subvention. As my hon. Colleague pointed out, the accepted principle is that each province shall bear the expenses in respect of its own probationers. That this item relates to a series of years hardly seems to be an argument for the further postponement of the settlement of a liability which I do not think we can repudiate. The question raised by the hon. Member for the University would be relevant not to past procedure but to future practice. His suggestion, if I understood him correctly, was that this practice of training probationers in these services in England should be abandoned and that all probationers should be in future trained in this country."

* Mr. S. SATYAMURTI :—"On a matter of personal explanation, Sir. I am for probationers being sent to England so long as we are recruiting them from England and so long as England is ruling this country. But I want the part of the probation which concerns the learning of Indian languages and Indian law should be in this country."

* The hon. Mr. T. E. MOIR :—"I am not quite sure if I understand the hon. Member correctly. He wants that the probationers should be trained partly in Great Britain and partly in this country. That again would be a possible proposition. But the question now is why we should delay meeting this part liability in order to decide about future contingencies. This demand relates to the money which has been spent with reference to the theory and practice hitherto in force. I am further not quite sure whether the suggestion of the hon. Member for the University would be approved by all sides of the House. The hon. Member for South Kanara said that what he was specially concerned with in this matter was the question of the value of the training which is given at these Universities. It is a good many years since I was myself on probation at a University. I can only say that in those days instruction in Tamil was given by Dr. Pope and in other subjects by other eminent professors. Dr. Pope was a well-known Tamil scholar and among those responsible for the teaching of law was Sir William Marbby, whose name is probably still remembered in India as an eminent and

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well-known judge. I do not think therefore that there is any question as to the capacity of the teachers to whom the responsibility of instructing these probationers is entrusted by the University

"The hon. Member, Mr. Krishnan Nayar, suggested that the payment of this amount might be postponed. In these matters I am anxious that adjustments between the provinces themselves and between the provinces and the Government of India should be made as early as possible. We have a much larger sum of money to be adjusted by the Government of India to our credit; and I should be very sorry by being dilatory or postponing the adjustment of this small liability to suggest to them that it is equally open to them to postpone liquidation of their debts to us. After the explanations given by my hon. Colleague and myself, I hope the House will not press the motion for the postponement of the consideration of this question. The liability is clear and we have no case for postponing payment because we have under consideration the question of future policy."

1-30
p.m.

* Mr. S. SATYAMURTI :—"According to the argument of the hon. Finance Member, this is a mere formal motion. It relates to a past liability and therefore the arguments on the merits of the question are irrelevant. If that is so, it seems to me"

* The hon. Mr. T. E. MOIR :—"Sir, I am afraid I have not made myself intelligible to the hon. Member for the University. If I had considered that the question was a merely formal one I do not think I should have wasted the time of the House by discussing it on its merits"

* The hon. the PRESIDENT :—"May I ask the hon. Member for the University to confine himself to the motion for the postponement of the consideration and not to the merits of the question?"

* Mr. S. SATYAMURTI :—"My hon. Friend spoke on the merits of the question also and I should like to meet the arguments advanced by him."

* The hon. the PRESIDENT :—"That hon. Member spoke for the first time, whereas the hon. Member Mr. Satyamurti is speaking for the second time, and I should like him to confine himself to the motion for postponement."

* Mr. S. SATYAMURTI :—"In that case, I would rather not speak, Sir."

* Mr. J. A. SALDANHA :—"On a point of personal explanation, Sir, I did not refer to the study of languages or law which was a part of the ordinary curriculum."

* The hon. the PRESIDENT :—"The hon. Member can speak only on the motion for the adjournment. He has already spoken on the original motion. (A Voice: On the amendment also.) In that case I am afraid the hon. Member cannot speak now."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Mr. President, Sir, I could well realize the anxiety of the hon. the Finance Member that there should be no delay in the payment of the liability. But I would submit that we are handicapped in this matter. We are not in possession of the full information that will be necessary for a consideration of this question. We have been told that this adjustment has not been made for the past four years and we do not know the reason why, except perhaps the possibility that the Government of India had been in correspondence with the Home Government as to the allocation among the different provinces. Of course, there is an important issue to be considered, namely, whether it is desirable that this

[Mr. A. S. Krishna Rao Pantulu] [12th February 1926]

Government should be called upon to pay any contribution for the encouragement of Oriental teaching in England for these probationers. We do not know, Sir, what the total cost incurred by the Universities of Oxford and Cambridge and the School of Oriental Studies, London and the Trinity College, Dublin, is and how much of it is being borne by the various Provincial Governments. When we are called upon to vote the money, we are entitled to know these details. Even supposing that the amount that we are called upon to pay is only a fair proportion of the cost, I do not think that it is fair to ask the Provincial Governments to pay this cost. I shall be glad if the hon. the Finance Member would raise this question with the Government of India. Without knowing the total cost and the share that ought to be borne by the Provincial Governments, I find it difficult to vote upon this question, however much I may agree with the hon. the Finance Member in thinking that the adjustments between the Provincial and the Central Government ought not to be delayed, when we ourselves expect adjustments from the Central Government. Again, Sir, if this is a matter of annual payment by way of adjustment between the Central and Provincial Governments, I do not know why it was not shown under the head of "Miscellaneous—Adjustments between the Central and the Provincial Governments" every year to enable this House to discuss the policy underlying the question? Now, we are to deal with the payment for four years. On the other hand, if the payment had been made year after year, it would have been convenient for us to consider the policy underlying the question. But this has not been done. I would request the hon. the Revenue Member and the hon. the Finance Member to give us further information on the subject before we are called upon to vote on this question. We should be given another opportunity of examining the question as early as possible and that can only be in March."

* The hon. Mr. N. E. MARJORIBANKS:—"Sir, with regard to the point raised by the hon. Member who just spoke, I am not able to see what exactly he wants. I have given the figures as to the total amount of subventions to be paid by this Government and I have also mentioned the rules under which the amount is allotted among the Provincial Governments. I have stated the objects on which the University incurred the expenditure. There must be somebody to give lectures to these probationers in the various languages of India and Indian History and Indian Law. Instruction must be given in Punjabi, Mahratti, Tamil, Telugu, Burmese, and Indian History and Indian Law and I am not quite sure in how many other languages and subjects. But I do not see how we can get further information and what further information is needed. The only point is why it has not been paid for the last four years. I really cannot anticipate what the result of the inquiry will be. I do not think we would get any information which would be helpful. We had each year made provision in the budget for the other expenses of the probationers, such as the cost of passages and allowances. I do not really see what we are to find out. The general question that we should not pay for our probationers is quite a different matter and that won't be furthered by any information on the point now at issue."

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P.m.

The question of postponement of the consideration of the question was put to the House and declared carried. A poll was demanded and the House divided thus—

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Ayes.

1. Mr. B. Muniswami Nayudu.
2. „ J. Kuppaswami.
3. Rao Bahadur C. V. S. Narasimha Raju.
4. „ T. A. Ramalinga Chettiyar.
5. Mr J. A. Saldanha
6. „ P. Siva Rao.
7. „ A. Ranganatha Mudaliyar.
8. Sriman Biswanath Das Mahasaya.
9. Mr. A. Chidambara Nadar.
10. „ M. Gangarazu.
11. „ G. Gopala Menon.
12. „ K. Koti Reddi.
13. „ S. Muttayya Mudaliyar.
14. „ M. R. Seturatnam Ayyar
15. „ P. C. Venkatasati Razu
16. „ S. Satyamurti.

17. Mr. T. Adinaravana Chettiyar.
18. „ P. Anjaneyulu.
19. „ C. Murudavanam Pillai.
20. „ V. Pantulu Ayyar
21. „ G. Rameswara Rao.
22. Diwan Bahadur M. Krishnan Nayar.
23. Mr. K. Chavadi Subrahmanya Pillai.
24. Rao Bahadur A. S. Krishna Rao Pantulu.
25. Rai Bahadur T. M. Narasimha Chari.
26. Mr. T. M. Narayanaswami Pillai.
27. Sriman Sasibhushan Rath Mahasaya.
28. Mr. Sami Venkatachalan Chettiyar.
29. „ R. Srinivasa Ayyangar.
30. „ K. Uppi Sahib.
31. „ C. V. Venkataramana Ayyangar.
32. „ Naganna Hegde.

Noes.

1. The hon. Sir C. P. Ramaswami Ayyar.
2. „ Mr. N. E. Marjoribanks.
3. „ Khan Bahadur Muhammad Usman Sahib Bahadur.
4. „ Mr. T. E. Moir.
5. „ Diwan Bahadur Sir T. N. Sivaganesam Pillai.
6. „ Rao Bahadur Sir A. P. Patro.
7. „ the Raja of Panagal.
8. Mr. T. R. Venkatarama Sastriyar.
9. „ F. B. Evans.
10. „ G. T. Boag.
11. „ V. Pandrang Row.
12. „ F. Noyce.
13. „ S. Arpudaswami Udayar.
14. Rao Sahib T. C. Tangavelu Pillai.
15. Mr. K. Prabhakaran Tampam.
16. Capt. E. G. Windle.
17. Mr J. A. Davis.

18. Rai Bahadur Sir K. Venkatarreddi Nayudu.
19. Rao Bahadur C. Natesa Mudaliyar.
20. „ M. C. Raja.
21. Mr. P. K. S. A. Arumuga Nadar.
22. Diwan Bahadur P. C. Ethirajulu Nayudu.
23. Rao Bahadur Cruz Fernandez.
24. Mr. R. Madanagopal Nayudu.
25. „ V. Madhava Raja.
26. Hon'y. Lieut. Madurai
27. Mr. C. Muttayya Mudaliyar.
28. „ B. Obaloesappa.
29. „ B. Raghoobhendra Ballal.
30. „ P. T. Rajan.
31. Rao Sahib P. V. S. Sundaramurti.
32. Mr. R. Veerian.
33. „ Abbas Ali Khan.
34. Khan Bahadur Hamid Sultan Marakkayar Sahib Bahadur.

Ayes 32 : Noes 34.

The motion was lost.

(Mr. A. V. Bhanoji Rao entered the House.)

Cries of “ order, order.”

* The hon. the PRESIDENT :—“ The hon. Member will please keep out.”

Mr. R. MADANAGOPAL NAYUDU :—“ On a point of order, Sir ; the poll on the motion for adjournment being over, my hon. Friend, Mr Bhanoji Rao is quite in order in entering the House.”

* The hon. the PRESIDENT :—“ I think the hon. Member may come in, the division being over.”

The Demand was then put and the House divided thus—

Ayes.

1. The hon. Sir C. P. Ramaswami Ayyar.
2. „ Mr. N. E. Marjoribanks.
3. „ Khan Bahadur Muhammad Usman Sahib Bahadur.
4. „ Mr. T. E. Moir.
5. „ Diwan Bahadur Sir T. N. Sivaganesam Pillai.
6. „ Rao Bahadur Sir A. P. Patro.
7. „ The Raja of Panagal.
8. Mr. T. R. Venkatarama Sastriyar.
9. „ F. B. Evans.
10. „ G. T. Boag.

11. Mr. V. Pandrang Row.
12. „ F. Noyce.
13. „ S. Arpudaswami Udayar.
14. Rao Sahib T. C. Tangavelu Pillai.
15. Mr. K. Prabhakaran Tampam
16. Capt. E. G. Windle.
17. Mr. J. A. Davis.
18. Rai Bahadur Sir K. Venkatarreddi Nayudu.
19. Rao Bahadur C. Natesa Mudaliyar.
20. „ M. C. Raja.
21. Mr. P. K. S. A. Arumuga Nadar.

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Ayes—cont.

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|--------------------------------------------|---------------------------------------------------------|
| 22. Mr. A. V. Bhanoji Rao. | 89. Diwan Bahadur M. Krishnan Nayar. |
| 23. Rao Sahib S. Ellappa Chettiyar. | 40. Mr. P. T. Rajan. |
| 24. Diwan Bahadur P. C. Ethirajulu Nayudu. | 41. Rao Bahadur P. Raman. |
| 25. Rao Bahadur Cruz Fernandez. | 42. Mr. J. D. Samuel. |
| 26. Mr. J. Kuppuswami. | 43. „ K. Sitarama Reddi. |
| 27. „ R. Madanagopal Nayudu. | 44. „ K. Chavadi Subrahmanya Pillai. |
| 28. „ V. Madhava Raja. | 45. Rao Sahib P. V. S. Sundaramurti. |
| 29. Honorary Lieutenant Madurai. | 46. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 30. Mr. T. Mallesappa. | 47. Mr. R. Veerian. |
| 31. „ P. N. Marthandam Pillai. | 48. Rai Bahadur T. M. Narasimhacharla. |
| 32. „ B. Muniswami Nayudu. | 49. Mr. T. M. Narayanaswami Pillai. |
| 33. „ C. Muttayya Mudaliyar. | 50. „ Abbas Ali Khan. |
| 34. „ B. Obalesappa. | 51. Khan Bahadur Hamid Sultan Marakkayar Sahib Bahadur. |
| 35. „ K. S. Ponnuswami Pillai. | 52. Mr. Qadir Muhi-ud-din Elyas Khan Sahib. |
| 36. „ B. Razhuchandra Ballal. | |
| 37. „ K. Koti Reddi. | |
| 38. „ P. S. Rajappa. | |

Noes.

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|----------------------------------------|---------------------------------------|
| 1. Rao Bahadur C. V. S. Narasimha Raju | 12. Mr. S. Satyamurti. |
| 2. Mr. J. A. Saldanha. | 13. „ T. Adinarayana Chettiyar. |
| 3. „ P. Siva Rao. | 14. „ C. Marudavanam Pillai. |
| 4. „ A. Ranganatha Mudaliyar. | 15. „ V. Pantulu Ayyar. |
| 5. Sriman Biswanath Das Mahasayo. | 16. „ G. Rameswara Rao. |
| 6. Mr. A. Chidambara Nadar. | 17. Sriman Sasibhushan Rath Mahasayo. |
| 7. „ M. Gangarazu. | 18. Mr. Semi Venkatachalam Chettiyar. |
| 8. „ C. Gopala Menon. | 19. „ R. Srinivasa Ayyangar. |
| 9. „ S. Muttayya Mudaliyar. | 20. „ K. Uppi Sahib. |
| 10. „ M. R. Seturatnam Ayyar. | 21. „ C. V. Venkataramana Ayyangar. |
| 11. „ P. C. Venkatapati Razu. | 22. „ Naganna Hegde. |

Neutral.

- | | |
|-------------------------------------------|-------------------------------------------|
| 1. Mr. C. Ramalinga Reddi. | 5. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 2. Rao Bahadur T. A. Ramalinga Chettiyar. | 6. Mr. Muhammad Ghouse Mian Sahib. |
| 3. Dr. P. Subbarayan. | 7. „ Abdul Wahab Sahib. |
| 4. Mr. P. Anjaneyulu. | |

Ayes 52 : Noes 22 : Neutral 7.

The Demand was carried and the Grant made.

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

III.—MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE
REGARDING THE REFUSAL OF THE GOVERNMENT TO ACCEPT CERTAIN
RECOMMENDATIONS OF THE EXCISE LICENSING BOARD—*cont.*

* **MR. T. ADINARAYANA CHETTIYAR** :—“ Sir, I am afraid it requires more than ordinary courage to make this motion in this House which has been rather fed up with excise questions during the last three days and one would naturally hesitate to ask the hon. Members to spend at least a good deal of the afternoon of the fourth day on the same question of excise. Sir, I have also an additional disadvantage, namely as a Congressman, I am pledged to total prohibition. Therefore, for me to complain against this or that body, whatever be the limb of law of Government it may be, that has disallowed the recommendation of the Excise Licensing Board, and to complain about it in this House, in a constitutional way though it be, I feel I am not doing the work which my political inclinations would impel me to do. However, you would have read, Sir, in the papers that Mahatma Gandhi

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in his *Young India*, commenting on a resolution almost as timid as that to which my hon. Colleague Mr. Krishnan Nayar has given his name, the resolution of the conference presided over by my esteemed friend and moderate politician, Diwan Bahadur M. Ramachandra Rao, characterises that resolution in the following terms :

‘ Let me hope that the League will adopt a more forward policy and not treat total prohibition as a goal to be realized in the dim and distant future, but a national policy to be immediately adopted and enforced without the cumbersome process of taking referendum or something like it . . . ’

“ This was written before the resolution was actually passed ”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ May I know whether the adjournment is for discussion of a question of policy or something like it, or . . . ”

* Mr. T. ADINARAYANA CHETTIYAR :—“ I think it is not even two minutes since I began my speech. I hope the hon. Member will realize, being a good speaker himself the difficulty of coming to a conclusion within the first minute. Sir, still in spite of these two disadvantages, personal though they may be, as we on this side of the House have no chance of attaining the Congress ideal perhaps within the life-time at least of the present Council and as we had a clear indication of the policy in excise matters of the party that is in power to-day, in the resolution of my honourable and esteemed friend, Diwan Bahadur Krishnan Nayar, which has been rightly characterised by a Nationalistic Journal as being in “ milk and water terms ” and as the Council, by a very good majority indeed a wonderful majority I should say, because it boasted of a neutral strength of 41, passed it—but with all that, that resolution is on the Statute Book or will be soon. Since that is the indication of the policy of the present Government, I am obliged to take whatever advantage I can legitimately take of the situation and move this adjournment motion.

“ Sir, moreover, even the Excise Committee’s report which has been the text round which so much comment has been hung throughout the three long days, after brushing aside every possible avenue to the goal of total prohibition as would of course be expected is in favour of Reformed Advisory Committees. The hon. the Minister for Excise and Education is saying that rationing is unworkable, fixed fee is impossible and everything else unsuitable for this unfortunate province and hits upon the one remedy, namely, improvement, or whatever it may be, or the renovation of Advisory Committees. Therefore it is, I wish to draw the attention of the Government through this House to the fact that I am going to harp on that very subject of improved Advisory Committees, as the goal of the report which is the Bible of the hon. Minister. Sir, the object of this adjournment motion, therefore, is to see whether the Ministry is sincere even to that very limited extent which their report advocates and which their resolution of yesterday affirms. The public must know whether the spoke-men of the party, of the 40 dumb millions, have the welfare of the great non-Brahman public at heart, for the bulk of this misery falls unfortunately on non-Brahman working people and wage-earners. Government purporting to consult popular feeling—Lord Reading downwards it has become the fashion

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to ask for popular co-operation now-a-days—have created all over the Presidency what are called advisory committees. For the city of Madras, there is the Licensing Board. Sir, the Madras Licensing Board, you know, is a body intended to be eight people strong. But unfortunately, to-day owing to the action of the Madras Corporation which refused to co-operate with the Board, the present strength is only five. I shall refer to that aspect of the matter later; but the position in the mufassal is unfortunately only too well known. Only very recently, Sir, we all heard of the way in which the recommendations of the Coimbatore Taluk Board were treated by the Government. For four years— I really admire their patience”

* The hon. the PRESIDENT :—“ May I ask the hon. Member to restrict himself to the subject-matter of his motion?—the order of the Government refusing to accept the recommendation of the Excise Licensing Board of Madras to close two taverns, one arrack shop and one opium shop, etc? ”

* Mr. T. ADINARAYANA CHETTIYAR :—“ Sir, we are familiar with the way in which such recommendations are treated in the mufassal. But one would rather expect, and naturally expected, that in the metropolis of the Presidency with the force of public opinion, vocal and effective, the Government would treat the recommendations of that Board at least with greater courtesy than the scant courtesy which the mufassal boards have been systematically receiving. Sir, this Board, as I said, is not called the Advisory Board as in the mufassal; it is called the Excise Licensing Board. This Board is not a revolutionary or a fire-eating body. It consists of, as I said, five members at present. One is the Collector of Madras, the second is the Commissioner of Police. The third member is at present an European representing one of the well-known firms in Madras—I forget the name now. And there is the Assistant Commissioner of Excise on the Board and the last is a Mussalman gentleman who is known for his proved loyalty. These people, Sir, constitute the Board—a very safe constitution from even the Government's point of view. That safe and sound body have recently deliberated upon the abolition of such of those shops as in their opinion ought to be considered suitable for abolition. They discussed about 14 shops in the city of Madras, but after thinking about all the possibilities and all the conveniences and also probably the ‘self-determination’ and other high-sounding phrases about which the drinking public is now most freely treated, they have come to the conclusion that they would recommend only four shops to be closed; and these are two taverns, one arrack shop and one opium shop, as the terms of the resolution would show.

“ Sir, next I would point out that this very safe and moderate body have not even exceeded their powers, their legal or other limits in making the recommendation. For, I must say here that the powers of the Madras City Excise Licensing Board are wider than the powers of the mufassal advisory committees. Sir, their constitution—I mean the constitution of the advisory boards—clearly states that their resolutions or decisions or recommendations are almost final. “ All licensing boards have jurisdiction over all kinds of abkari and opium licences and their decisions are final, subject to the control of the Commissioner.” Therefore, Sir, from this and from the constitution of the Board itself, it is clear that the recommendations of the Board are intended to be final, not to be lightly interfered with by that

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august body, that anachronism, that ancient anachronism, viz, the Board of Revenue, but only in very extreme cases where probably the decision would work great injustice to the public. Therefore, Sir, I submit that this Madras City Licensing Board have not in any way exceeded their powers in making their recommendation. Then it occurs to us, as it would occur to anybody, naturally, 'why is it then that the Board of Revenue has interfered in this case?' Have they violated—I mean the Licensing Board—any principle? I have shown they have not violated not only the legal principles, but the ordinary accepted canons which should determine the policy of the excise administration in any civilized country. Sir, I should like to draw the attention of my colleagues to the recommendation of a committee which sat I think about the year 1912—I am not very correct about the date. Sir, that committee, was, I believe, presided over by our esteemed late Dr. T. M. Nair. That gentleman, with his unique experience of Madras conditions and unique experience of the world, and with his immense knowledge of men and things, has left on record that the system of taverns is unsuited to the conditions of this country, and he has further said that this system of taverns ought to be discouraged as far as possible. Sir, therefore, we must have some more reasons, some more tangible, substantial reasons for the Board of Revenue with the knowledge it undoubtedly has of the writings of such eminent official and non-official committees, for interfering with the decisions of a loyal and respectable body like the Madras Licensing Board. It is often trotted out, and it was repeated *ad nauseum* true, during the three days when we had the discussion, that people who are in the habit of drinking ought to have facilities for drink; but I am glad, Sir, that even those enthusiasts dared not go to the extent of saying that the State ought to take a tavern to the door of every man who is given to drink. Suppose the recommendations of this body have been given effect to, what would have happened? Still, we would find, in the City of Madras, any number of taverns and other shops where people could quench their legitimate thirst. At any rate, if one more tavern were closed in the city of Madras, the Heavens would certainly not fall. Moreover, people who were addicted to, or are devotees of moderate drinking need not be very sorry, after all, if all the taverns are taken away; because, I think in the city of Madras there are hundreds and hundreds of F.L shops, i.e., foreign liquor shops. They pay only a fixed fee and anybody can open a shop anywhere and there are hundreds and hundreds of such shops. Therefore it is, I say, that the person who is addicted to drink need not go absolutely dry unless he wants to. Sir, as regards arrack shops, I am glad to be able to refer to a document which was placed in our hands this morning at 11 o'clock, discussing the question of prohibition and the experiments, unique experiments, I must say interesting experiments, that are being made under the guidance of the hon the Minister for Excise. It was stated therein that arrack is a very deleterious drink and it affects the masses of the population. I am glad, Sir, at last, at least to suit his purpose, he was able to state a fact—as people have to occasionally I suppose. Therefore, if this one arrack shop is removed in accordance with the recommendations of this very scrupulous and I may add very practical body, large masses of people who are wage-earners and who are ignorant would be saved. Therefore, the arrack shop does not require a coddling and careful nursing at the hands of the Board of Revenue.

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"Next, there is the other shop I have referred to and it is the opium shop. Sir, it is a well-known fact admitted by Government, that the consumption of opium in Madras is very high. I believe, Sir, though I have not got the exact statistics here with me to show that the consumption—technically called the legitimate consumption—of opium is high. I rather think that the word 'legitimate' does not read very well. But it will still be legitimate for me if I suppose that legitimate consumption in the city of Madras is about five or six times what it should be if compared with what it is in the other provinces of India.

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"So much so, the consumption of opium in Madras has attracted the attention of no less a body than the League of Nations. It is also a well-known fact that the quantity of opium that can be sold to any one individual is very high, namely, one tola. My medical friends here, many are absent just now, can tell you what the deleterious effects of one tola of opium on the human constitution would be. And as conditions now exist, there is nothing to prevent the same customer coming back like a moth to a burning lamp, to the same shop again and again and buy more of that stuff. Sir, I am told, and the administration cannot be unaware of the fact, that several cases have been detected in which opium has been sold to women in these shops, and Government's reply has always been, when confronted with this charge 'Our staff at present is not able to tackle this problem of illicit sale of opium'. Therefore, the closing of this one shop as advised by this Licensing Board would come in very handy, and convenient for the officials of the Excise department so that their attention need not hereafter be divided and unsuccessfully divided between four shops but successfully diverted and concentrated on three shops only. Therefore, considered from every point of view—from the point of view of the Government, from the point of view of the Excise department and from the point of view of the people who are affected—the people whose self-determination and other liberties are sought to be protected—this reduction is very necessary. Sir, this proposal is a very modest one and cannot adversely affect any interests that have to be safeguarded. The Board of Revenue, in spite of this House having out off its establishment and other charges amounting to about Rs. 90,000 in the budget discussion of 1924, is not dead but like some other institution is 'going strong' to-day. Therefore, this august anachronism having failed to consider the question or even to approach the question from the point of view of the poor workmen and wage-earners, it is but right that the representatives of the people congregated in this House ought to maintain the self-respect of those people whom they represent. Sir, I had no idea of troubling this House with this adjournment motion. I requested the hon. the Minister to place the facts before us and asked him if he would give some sort of undertaking, for instance, an assurance that the sales of these very shops coming off on the 17th February would be stopped, so that the popular demand can be met at least to a great extent by him. I had no idea of troubling this House and wasting its precious time as my hon. Friend Mr. Ramalinga Reddi complains—and his complaining is but natural—this afternoon. But I had no other go. My modest request for the waiving of the usual notice a courtesy we often receive at the hands of the Treasury Benches, was not even noticed by the august Minister in whose keeping this

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department is working. Sir, we are all familiar, and I have also touched upon it though briefly that the demand for the co-operation of the public is insistently and in season and out of season flung at us. Sir, here is a body of very proper people who are not impelled by any considerations of individual or private interest but work solely with a view to do their duty by the light that is in them, to the best of their ability, for the people whom they represent. They have advised the Government that four shops ought to be closed. A more modest and a more gentle request it would be impossible to find in the annals of any Government. And yet, in spite of the tall talk about co-operation, this is the result, this is the treatment which willing co-operators have received at the hands of the Government in a matter of great vital importance to the millions of this land. Sir, it is a well-known fact that in the matter of excise administration, the public, with the best of intentions, with the purest of motives and the greatest of enthusiasm, are not able to effectively show their co-operation with the Government. I need not mention the number, although I can if the hon. the Minister or anybody else wants it, mention about the existence of a shop in one of the most crowded thoroughfares in the City of Madras which, I believe, contrary to the licensing regulations, is situated within 20 yards or so of the tramway line where several cases of sale of liquor to boys under 16 years of age and almost systematically after closing hours, have occurred; I may also tell you, Sir, that people who have been working in the temperance cause like my late lamented friend, the Rev Leith, and some others, tried to help the Government to put down this evil. What was the result? The toddy renters or rather the contractors' men have descended to the level of throwing filth at these workers. Therefore, this House can realise how difficult it is for the Licensing Board to put down this monster of drink. But when a body like this with an official majority—because in that body of five, three are officials and two are non-officials, one European and another Muhammadan—makes such a modest demand, it is treated as we have seen now. And when such is the case, it is time, in my humble opinion at any rate, to call the attention of the public to the way in which non-official opinion, when expressed in a form which the Government itself has prescribed is cheated, flouted, and their advice cast to the four winds by the body called the Board of Revenue which I suppose is maintained by the revenues paid by the public. Sir, this question, as every body knows and as has been trotted out these three days, is a question affecting largely the millions of this land, and as I have said—and I take the liberty of repeating it—this is a question which affects the non-Brahman community much more than any other community. And the total sum of money spent on drink by these people is about 60 crores in the whole of India. Therefore, Sir, we must not consider it is a waste of time to discuss this very important matter in this Council. It is worth our while to 'waste' time to tackle the problem successfully and induce the Minister who boasts that he is the elected representative of the people and belongs to a party which is the guardian of the welfare of the 40 dumb millions of this country, to do his duty by these very dumb millions and relieve the agony of these millions. I do not think I need apologise very much for having taken so much of the time of the Council. With these words, Sir, I move the adjournment motion. I thank you, Mr. President, for having allowed the motion."

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MR. R. SRINIVASA AYYANGAR :—“ Mr. President, I take the opportunity of seconding this motion, and in the course of the few remarks I wish to make, I shall only touch one point, that under the new rules the decision of the licensing board, though final, is subject to the control of the Commissioner who, I presume, is the Excise Commissioner working in the Board of Revenue office. It is a very sad commentary indeed, that the deliberate decisions of the licensing board should have been over-ruled or over-ridden by the Commissioner and that the Commissioner should have thought it necessary to spurn it aside. What reasons, and what considerations swayed him in the matter to the extent of over-riding the deliberate, well-considered and also the unanimous opinion of the Licensing Board we do not know and we have not been taken into confidence with regard to that matter. And so long as the reasons have not been made public, so long as we have not been taken into confidence and appraised of these reasons, we can only at this juncture view the question in the abstract. And viewing it in the abstract, it seems to me that it is a very dangerous thing for the Commissioner to act in the manner he did. As the hon. Mover has told us, the members of the licensing board are neither extremists nor fire-brands, but they are loyal men whose loyalty was not only not questioned but also was always acknowledged. And what kind of treatment has been accorded to the members of the Licensing Board functioning in the City of Madras that is supposed to give a lead to the mufassal? If this is the kind of treatment that is to be accorded to the premier city, one can easily imagine what kind of treatment is in store for the mufassal. And I should like to lay stress on this aspect of the case, that if things are to go on in this merry fashion, putting aside the reasons of this body in whom absolute discretion is vested, doubtless, subject to its being over-ruled in special cases and for special reasons, I do not know exactly what is going to be in store for us. Does the Excise Commissioner seriously contemplate the possibility of any total opposition, any serious riot or any bloodshed or any disturbance to the public tranquillity in the event of the recommendations of this body being accepted? Instead of accepting the recommendations, he seems to have accepted the recommendation only with respect to one shop and rejected the recommendation for closing the other three shops. In the absence of definite information, unless—which we refuse to believe—it be that a serious cataclysm would overtake us if the recommendations are accepted, I, for one, do not understand why this modest and even moderate recommendation made by one of their own bodies, namely, the Excise Licensing Board, should not have been accepted. It seems to me, further that the grossest insult has been offered to it and I think I am right in saying that their advice has been flouted by the Commissioner, either wittingly or unwittingly. This involves the question of principle and of policy which we have been discussing all these three days, and unless there is a change of heart and a change also in the angle of vision, it is impossible to hope to get prohibition either total or qualified within a reasonable limit of time.”

For about a minute, no Member rose to speak next.

The hon. the PRESIDENT :—“ I cannot wait indefinitely for hon. Members to rise, if hon. Members do not rise to speak I shall have to put the question as it is.”

VOICES :—“ Vote, vote.”

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Mr. C. RAMALINGA REDDI :—" I am not going to speak, Mr. President, but may I enquire whether the hon. the Excise Minister is going to reply ? "

* The hon. Rao Bahadur Sir A. P. PATRO who was cheered on rising, by Mr. S. Satyamurti, said :—" Thank you very much, hon Member for the University."

* Mr S. SATYAMURTI :—" On a point of order, Sir, can an hon. Member address me ? " (Laughter.)

* The hon. Rao Bahadur Sir A. P. PATRO :—" Sir, I feel that on this occasion or on this motion of urgent public interest, there is hardly very little said in justification of the motion by the hon. Mover and I have therefore very little to reply. I could understand on a motion of this kind if the hon. Mover had placed before the House definite facts and definite information that there were particular shops in particular localities, that the situation or the existence of those shops caused public nuisance or public danger, that these shops have led to breaches of the peace or have led to unrest, that there were protests from the neighbouring people, etc. If these circumstances were placed before this House, the House would be in a position to judge that there was really urgent public danger in the continuance of these shops. Except indulging in a political diatribe, as usual when the question of Excise reform is considered, no definite information was laid before the House on all the points that I had raised. Is there any agitation in the locality ? Is there any danger to the public peace by the continuance of these shops ? Has ever any complaint been made ? The shop has been in existence for the last 40 years, and nothing has been heard about that shop.

" There must be sufficient reasons for the abolition of a shop. I could understand if either the hon. Mover or the Licensing Board had advanced any reasons for the abolition of these shops which are catering licit liquor as opposed to illicit sale or consumption : because it is now understood all over that mere abolition of shops or reduction of shops is not conducive to the abolition of drink. My hon. Friend opposite the hon. Member for Coimbatore has repeatedly pressed on the attention of this House that the abolition of shops alone will not conduce to the reduction of consumption." 3 p.m

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" If the hon. Minister means me, Sir, I have always said that by itself. . . ."

* The hon. the PRESIDENT :—" Is it on a point of personal explanation ? "

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Yes. I have always said that the abolition of shops by itself is not enough and without more it may not lead to a large reduction in the consumption. I always guarded myself by saying that the consumption in this Presidency is at the level at which it has been for several years on account of the large reductions. But by itself it is not enough to extinguish drink from this Presidency."

* The hon. Rao Bahadur Sir A. P. PATRO :—" At page 51 of the Excise Advisory Committee report the hon. Member is reported to have said 'Reduction of shops alone has not led to reduction of consumption'."

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* Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"On a point of personal explanation I may be permitted to say that it is not a quotation of my speech. It is only a brief note taken on behalf of the Minister. That would not mean I used the very words."

* The hon. Rao Bahadur Sir A. P. PATRO:—"The reduction of shops alone will not reduce the consumption. In the face of that, unless there are other reasons to show that this reduction or abolition will lead to reduction of consumption, the mere asking of reduction of shops has no meaning. Sir, the first recommendation relates to a foreign liquor shop and the second to an arrack shop. The third relates to opium. We would have been in a better position to understand the question if the hon. Mover had placed before the House where these shops are located what was the locality in which these were situated and whether the localities had protested against the existence of these shops. We have not been taken into confidence by the hon. Mover of the resolution who has to make out a case to show that the Commissioner exercised his discretion wrongly and the recommendations of the Licensing Board were based on sound reasons. No reason was advanced to show that the existence of these shops was a danger to public peace. With regard to one shop which, as I said, is situated in Nyniappa Naik street, it has been in existence for the last 40 years and no objection was taken to the existence of this shop. Why? What reason is there for the abolition of this shop? This shop is a foreign liquor shop which serves the Ordnance Lines and it does not at all interfere with the traffic. The ordinary class of drinkers go neither there nor to any other foreign liquor shop. It is situated near the Ordnance Lines, it caters to the wants of the Ordnance Lines people. The other arrack shop is situated in the area of Royapetta, Triplicane and Mylapore. There is no shop whatever in that area except this one. This also has been in existence for a very long time and there has been no disturbance, nor is there any congestion to the traffic. The Commissioner of Police who is responsible for the maintenance of the peace inspected the place after the recommendation of the Licensing Board and recommended that there was no danger to the public in the existence of this shop. Sir, it has been said that the opium shop is an excess over the average allowed and that, therefore, the opium shop should be abolished. In every big city, there is an excess and there cannot be sudden reduction, because the League of Nations has recently fixed the standard. We are trying to fix the standard and there are four shops for the City of Madras and these four shops cover the whole City of Madras. Abolition of one shop means smuggling of opium and hence the Commissioner thought that it is not time yet, unless we have reduced consumption, that is to say, by reducing the supply gradually, we may gradually abolish it. But there is not at present any reason for the abolition of the shops. There were five members present on the occasions when the meeting of the Board was held. The voting was two against two and the Collector was on the side of the abolition. (Hear, hear.) Quite so, on the side of abolition. When there was such keen opinion and sharp division in the committee itself, the Commissioner had to examine further. It would be expected, in the ordinary course of things, in the interests of safe administration that the Commissioner should have the right to examine and see the reasons in support of the Licensing Board.

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So he inquired into the matter further, and he thought there was no reason whatever for the abolition of the shops. The first shop caters to the Ordnance Lines; in the case of the second shop there is no congestion whatever and on the report of the Commissioner of Police also, he thought there was no need to abolish that shop. It is on further careful inquiry that the Commissioner was satisfied that the recommendation of the Licensing Board was not proper. Hon. Members will realise the position in which we are. If we are to carry on our work on constitutional lines, we must carry out the rules as they are, until they are modified. The constitution of the Licensing Boards is subject to the general rules 9 to 12. I refer to G.O. No. 261, dated the 4th April 1918. Subject to the general control of the Board of Revenue, the Licensing Board is to determine the number and location of toddy and arrack shops within the municipal limits of the City of Madras. Subject to the general control of the Board of Revenue the decision of the Licensing Board on such matters will be final and the decision of the Board will not be carried out by the Board itself except when two-thirds of the majority vote for a motion. It is under these rules that the recommendations of the Licensing Boards are not final. The recommendations are subject to the control and further examination of the Board of Revenue. Therefore, the rules as they stand must be worked; and as they stand, they give power to the Commissioner to go into the recommendations of the Licensing Board. Even though the Licensing Board made the recommendations in this particular case, I am of the opinion that the Commissioner is fully justified because he had inquired into it and had information before him that there was absolutely no ground for complaint of either any disturbance in the locality or any congestion. The fact that they have been in existence for such a long period will show that there is no need to interfere with its continuance. Then, it will be seen how the policy of reduction of shops has been carried on in the City of Madras in regard to foreign liquor shops and toddy shops. If we take what it was in 1907, there were 55 foreign liquor taverns in the City of Madras. Now in 1926, we have only 9 foreign liquor shops. If we take the arrack shops, there were 48 arrack shops in 1907 and we have now only 19 arrack shops. With regard to toddy, you will see how systematically reduction has been carried on in Madras. There were 253 toddy shops in 1907 and in 1926 there are only 57."

* Mr. S. SATYAMURTI :—" How many trees ?"

* The hon. Rao Bahadur Sir A. P. PATRO :—" These will show clearly that the reduction of shops has been gradually carried on by the Board of Revenue. The interests of the public and the interests of the peace of the city have been borne in mind in the administration of the excise reform. The considerable reduction in the number of foreign liquor taverns will show that the Board of Revenue has been exercising very judicious discretion in the matter and in the present instance, the Commissioner has gone into the whole matter fully and he could not accept the recommendations. It may be asked 'Is it desirable that, after the recommendation or the conclusion of the Licensing Board, the Board of Revenue should have power to veto it?' It may seem improper that such a power should be given to the Board of Revenue. From the purely theoretical point of view,

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it may not seem to be quite sound. But a further examination of it will show that the Licensing Board, as it is constituted, has not got all the elements in it which go to make up experience and expert knowledge which are needed in the matter. Therefore, power should be retained by the Board of Revenue. In view of the agitation and in view of the public demand, the constitution of the Excise Advisory Committee was modified in this direction that the veto of the Commissioner will not be absolute; but he will have to submit the report to the Government and Government will have to be satisfied that there are reasons for differing from the recommendations of the Licensing Board. As now suggested it will be a large improvement. Hereafter the responsible Minister will have the final voice. He will have the full responsibility of vetoing or differing from the recommendations of the Licensing Board. Thus hon. Members will see that owing to the existing difficulty the Excise Advisory Committee has made this recommendation, a tentative recommendation that has been put forward as an appendix in the report. Therefore, there is absolutely no need whatever to apprehend that this was done arbitrarily or it was unjustifiable. It was fully gone into and the Commissioner was, therefore, right in thinking that there were no strong reasons for the abolition of these shops. The ideal he had before him was that the mere abolition would not lead to the stopping of drink. Figures will show that. Take for instance, the toddy or arrack shops. The arrack shops which were 48 in number in the year 1907 were reduced to 19 to-day."

8-15
p.m.

* Mr. R. SRINIVASA AYYANGAR :—" May I ask the hon. Minister to give us facts and figures subsequent to 1920-21, instead of taking us to pre-reform days? "

* The hon. Rao Bahadur Sir A. P. PATRO :—" Whatever it is, post-reform or pre-reform, the question we have to consider is temperance reform, not a political or party matter. If it is the intention of the party opposite, to approach the electorate with a big programme not in the interests of peace and order and in the interest of temperance, but in the interest of political propaganda,—to use the words of the hon. Member for the University,—' we will be misrepresenting the people, if we were to say that we can achieve prohibition in the circumstances', then this motion is understandable. I have nothing to say to that except that the Commissioner had reasonable grounds for vetoing the recommendation of the Licensing Board.

" Whether pre-reform or post-reform, the question we have to consider is what has been the effect of the policy pursued by the Government. Has it not been one of progressive reduction in the number of shops? Has it not been one tending to the control of intemperance or drunkenness? It is not a question of whether A or X has done this or that. In the interests of the people, we are concerned with the advancement of the temperance movement. Here, I show figures to say that, during the last few years, there has been a considerable reduction in the number of shops and I say that the policy of the Government throughout has been to reduce consumption and control intemperance.

" The hon. Mover of the motion remarked that he was fed up with excise and that he was also fed up with the administration. He further said that

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he had no connexion with administration but yet he was fed up with it. Inasmuch as he has some connexion with administration how can he be fed up with excise? He has”

* Mr. T. ADINARAYANA CHETTIYAR :—“ If hon. the Minister is referring to me, I may say at once that what I said was that the House would naturally be fed up after three days’ discussion on the subject.”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I have only to say this: that indiscriminate closure of shops is a great danger, unless there are strong reasons for doing so. Not merely illicit manufacture and consumption will increase, but that will be a fraud on the revenue—a fraud on the people themselves. Therefore, we have to exercise great care in the matter of the abolition of shops. I hope the bona fides of the Government will be clear from the manner in which they are proceeding with the reduction of shops. That being so it must be conceded that it is not at all safe to close every shop on the recommendation of this association or that association, unless their recommendations are backed by strong reasons. In these three cases, the Commissioner after close examination is satisfied that there is no need to close the shops. Therefore, I trust that the House would agree with me that the Commissioner was perfectly justified in his action. Moreover, we have had discussion for three days on the same subject and there had been many suggestions made in the matter. These have to be considered and the policy of the Government framed in accordance with them. It is, therefore, unnecessary for me to say more at present. There have been suggestions that the constitution of the advisory committees should be changed. When this is done, there would be better representation of the people interested in the matter; the Licensing Boards would have more powers and it would then be very difficult for the Commissioner to veto their recommendations. Till then, it is impossible to take away this power from the Commissioner. For all these reasons, I submit, the action taken by Commissioner is fully justified.”

* Mr. J. A. SALDANHA :—“ Sir, this morning when the motion was agreed to be debated, I was rather surprised that what I thought to be a trivial matter should have to be the subject of discussion this afternoon. But after hearing the speech of the hon. the Minister on this point with all his old platitudes repeated again and again, I think my hon. Friend the Mover was well advised in making this motion. It is most unfortunate that the portfolio of education is combined with that of excise (laughter). Because, our Minister for Education is so much intoxicated with the spirit of his excise policy that it looks as if his policy is all directed not towards temperance as he boasts of, but in educating the people towards intemperance. Otherwise, I cannot account for his quoting the authority of the Revenue Board. Is the Revenue Board a better authority for settling a question of this sort than the Licensing Board which must have more insight into these things? The Board of Revenue would only look at it from the point of view of revenue.

“ What we are advocating is temperance or ultimate prohibition, and that, not merely in the interest of peace but in the interest of the health and morality of the people. There may be any amount of peace round about a shop, but still it is desirable as indicated by Mr. Muniswami Nayudu,—a Ministerialist, to adopt a policy of prohibition. What is the use of saying

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that for 40 years a shop was in existence and that there was no disturbance of the peace so far? We are concerned not only with peace but with the health, sanitation and moral improvement of the people. A long period of existence does not give prescriptive right to a shop. No matter how old a shop is, 300 or 400 years, our policy should be to close gradually all the shops. I know of a shop, a very old one, which was closed in spite of its age. Our townsmen wanted to close all the shops within a specific time; the Licensing Board supported them and the municipality unanimously passed a resolution to that effect. Then the Collector with his high authority stepped in and threw the resolution into the waste-paper basket. Have you ever heard a Collector, a revenue man, setting his heart upon closing a shop which would deprive the State of its revenue? By their so-called policy of temperance, the Revenue Member and the Finance Member out of revenue considerations are encouraging intemperance. I fully sympathise with them. But they should realize that what the country wants is improvement of the condition of the masses by the stopping of drink as much as possible. In this country we have got the high ideal of total abstinence from the most ancient times. I know that many of us are abstainers from drink. I know that at least one Member on the other side has stopped taking whisky, because it is not only a source of unnecessary expenditure, but it is a source of danger to one's health. From my own experience, I may say that drinking does some harm. It is not necessary for our health. It is calculated to do harm. It destroys the . . ."

* The hon. the PRESIDENT :—" May I ask the hon. Member to come back to the Licensing Boards ? "

* Mr. J. A. SALDANHA :—" My point is this : the object of closing the shops is not merely the preservation of peace, but putting a stop to drinking which is harmful. So there is no use saying that a shop on account of long existence has secured prescriptive right or that there has been no disturbance of peace for so many years.

"The hon. the Minister referred to all that has been done since 1907. He did not say anything about things done in recent times. He was studiously silent about the number of trees tapped every year. Side by side with closing the shops, you should also reduce the number of trees tapped. Otherwise, it is no good. Instead of advancing the progress of prohibition, the Government have been doing everything possible to encourage consumption. The motion under discussion is only an illustration of what is taking place in the rest of the presidency. We have had a comic picture presented to us of the closure of arrack shops in five taluks when the importation of foreign liquor in these places was increasing. I ask the House, where the sincerity and honesty in this policy is. You are encouraging the importation of foreign liquor, while at the same time . . ."

* The hon. the PRESIDENT :—" We are on the Licensing Board at Madras and are not concerned with talukas."

* Mr. J. A. SALDANHA :—" This is typical of what takes place elsewhere. It is not temperance. It is dishonesty to tell us that it is temperance. From my experience of the country and from the instances quoted, I say it has been a policy of encouraging intemperance."

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* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—“ Sir, I am very sorry 3-30
that the hon. the Minister without trying to meet us at least half way and p.m.
giving effect to his oft repeated professions in this Council, has given the reply
he has chosen to do. Here is a Licensing Board to which as much power as
has been given by this Government to anybody has been given. A meeting
of that Board was held with three official members and two non-officials; one
non-official was a European gentleman representing employers. This body
of 5, by 3 to 2—of the three, one was the Collector of Madras—has come to
the conclusion that three shops are to be closed in Madras. Under the
rules made by the Government, the decision of the Board is to be final
subject to the control of the Board of Revenue. So under ordinary circum-
stances, unless the Board thought that there were undesirables in the Board
and by a snatch majority they were able to carry a proposition like this and
that, therefore, the resolution of the Licensing Board ought to be set aside,
the Board of Revenue ought to have kept quiet without interfering with the
decision of the Board. Instead of that we find, that the Board of Revenue
has interfered with the decision of the Licensing Board. It is not a matter
of the Board of Revenue accepting the decision of the Licensing Board but it
has interfered with the decision of the Licensing Board. It says ‘No, we
will not have anything like this; we will not give effect to your decision.’
We find that that is the result. Now the hon. Member who made this
motion specifically said that his object in coming forward with this motion
was to draw the attention of the House and to request the Government to
interfere and set aside the decision of the Board of Revenue.

“ The hon. the Minister for Excise has been saying that he has been
working for the cause of temperance a long time before he came to this
Council and he says he has not changed his policy and so on, and that
he is as keen as anybody. We accept that. But I ask how he meets a
matter like this. He has been stating that similar Licensing Boards will be
constituted in municipalities in this Presidency and that these Boards are to
have exactly the same powers which are now entrusted to the Licensing
Board in Madras. Well, what is going to happen hereafter is brought out
in this adjournment motion. Sir, this is not the way in which we expect
the hon. Minister for Excise to deal with this question. He said that the
number of shops ought not be reduced and he quoted me as an authority for
saying that the reduction of shops alone would not bring about the decrease
in drink. What I said was that the reduction in the number of shops in the
Madras Presidency had contributed to bring down the quantity of consumption
of drink to 3·78 gallons of arrack per hundred of the population, whereas it
was 4 gallons per hundred before. I said the reduction was not substantial.
What I now want to urge is that the closing of a few shops is not enough.
We want something more than the mere closing of shops to bring about the
result we all want. But I admitted that the reduction of the number of
shops contributed to the diminution in consumption of drink from 4 to 3·78
gallons per hundred. That is why I said that reduction in the number of
shops *alone* was not enough for our purpose. No doubt it has contributed to
stopping the increase in the consumption of liquor but it has brought it down
only to 3·78 gallons per hundred. The ground to be covered is very large.
In the United Provinces, the quantity that is drunk works at 1½ gallons per

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hundred of population, but at the present moment according to the latest report available it works out at 3.78 per hundred of population in our Presidency. In spite of these figures, the hon. the Excise Minister would say that he is not prepared to go further than constituting a few Licensing Boards here and there, and vesting them with powers to fix the number of shops to be opened and the places at which they should be located. The way in which he wants to solve this problem is given in his reply to-day, viz., that the number of shops has been reduced to a large extent, from 48 to 19 and that he will not agree to any further reduction. Now what is the decision that has been arrived at by the Board? They want that one arrack shop, one tavern and one opium shop should be reduced. The hon. the Minister for Excise admitted that, so far as the opium shop was concerned, we have got too many shops in the City and that they ought to be reduced. He said that under the recommendation which has been made by the League of Nations, one shop ought to be reduced but we ought not to do that this year. So far as the opium shop, is concerned, it is not merely the Licensing Board but the League of Nations also that have stated that it ought to be abolished. The Revenue Board, without following that course, decided 'Not yet,' and nothing more.

"I do not think that the Minister has indicated any line of action so far as this question is concerned. As regards the other two shops, viz., arrack and beer, there are now 19 and 9 respectively and the Licensing Board has only decided to close one tavern and one arrack shop. It is not a very large number. It is not a proposal which can be treated either by the Board of Revenue or the Government as unreasonable. After all who are the people who have made this proposal? It is the Collector of Madras, one officer representing the police on that committee, the Excise officer representing Government, an employer of labour and one other person, I do not know who he was. These are the people who were there. They are not irresponsible people and they would not by their proposal want to bring Government to a standstill. When these people have come to the conclusion that these shops may well be closed, it cannot be said that it was an irresponsible proposal, but is one which ought to be scrutinized by the Government independently. I should have thought that nobody would have interfered with their decision, unless there was any necessity for this interference. When an appeal is made to the hon. Minister that this interference is wrong, what is the answer he gives? He says that the Commissioner has made enquiries and has come to this conclusion. In the first place the Commissioner had no business to make enquiries, unless he thought there was something gravely wrong. After all when the appeal was made to the hon. Minister, he ought to have seen at once where he stood. He ought to have seen that in a matter like this when a proposal was made for the closing of one shop of each kind he ought not to have upheld the decision of the Board of Revenue. He says that indiscriminate closing of shops will not do. But the Licensing Board does not want to close a large number of shops, and, where is indiscriminate closing? He admitted that so far as the arrack shop was concerned there was one in Triplicane."

* The hon. Rao Bahadur Sir A. P. PATRO:—"One shop for Triplicane, Royapetta and Mylapore"

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* Mr. SAMI VENKATACHALAM CHETTIYAR :—" I challenge it."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :— 'The reduction is nothing in proportion to the number of shops that are there. So, I beg to submit, it is rather disappointing and the way in which he has answered shows that he is not sincere and that he does not want to meet the wishes of the Council. Sir, in order to draw attention to the decision of the Board and have it rescinded by the interference of the hon. Minister for Excise this motion was brought here, and I fear he has mistaken the object of the motion and has given the answer he has done. I do appeal to him, therefore, that he will consider the implication of this motion in its bearing both as regards the present and also as regards his future Excise policy, and trust that before he makes his closing speech, he will reconsider his position and be more reasonable in meeting the wishes of this House towards this question.'

* The hon. Rao Bahadur Sir A. P. PATRO :—" What I said was between Triplicane, Royapetta and Mylapore, there would be no shop if this shop were to be closed."

* Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I am told there is a shop in each of the places, Triplicane and Mylapore."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" I am not in the least surprised that the attitude of the hon. the Minister for Excise is such as it is. As a matter of fact, I would have been surprised, if he had shown a more sympathetic attitude towards this question than what his professions and practices indicate. It was only the other day that we were treated to a dissertation on the policy which the Government would pursue hereafter in the matter of decreasing both the consumption of alcoholic drinks and the number of shops, not only in the City of Madras but also all over the Presidency. The hon. Member for North Arcot has put a question to the hon. Minister for Excise whether his professions can be reconciled with his practice. I have been very much disappointed at the experience I have had with the working of the Excise Licensing Board. The Excise Licensing Board is invested with certain small powers which relate to the number and the sites within which liquor shops, taverns and ganja shops are to be located within the City of Madras, and this power is left entirely in the hands of the Licensing Board subject however to the general control of the Board of Revenue.

" It has been said that the Board of Revenue rarely exercises its control upon the Excise Licensing Board. It is not so. The Licensing Board transacted business of a routine character and this called for no interference by the Board of Revenue. When necessity did arise as in the present case, the Board of Revenue was not slow to interfere and reverse the decision of the Licensing Boards. In these institutions, there has been a change for good and the change began from the year 1920, when more liberal and more patriotic representatives of the Corporation of Madras became members of the Excise Licensing Boards. Then, the Collector of Madras was hard put to see if he could not secure a majority to retain the existing number of shops. In spite of the best and strenuous efforts to discount the attempts of the non-official representatives, there was no doubt, reduction in the number of

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taverns and toddy shops during these five or six years. If there was any decrease in the number of shops it was only in the number of toddy shops, not in foreign liquor and arrack shops. But even the results which we were able to obtain by the exertions of the non-official representatives on the Licensing Board, were not satisfactory and the Madras Corporation began to make recommendations on the strength of the agitation and the public feeling created and expressed in the respective localities affected, to abolish this particular shop or that particular shop. They were not given effect to. So much so, the Members of the Corporation became so disgusted that they had to resign their seats on the Excise Licensing Board as a protest against the existing majority of official members. Of those who felt it necessary to resign their seats on the Licensing Board is my hon. Friend, Khan Bahadur Muhammad Usman Sabib, the present Home Member. All the same, the hon. the Minister for Excise and Education does not see the necessity to reconcile the feeling of the Corporators with a view to enlarge the non-official element on the Excise Licensing Board though promises have been made. So much so till to-day, there are no representatives of the Corporation on the Licensing Board. The whole body is purely official except perhaps for the existence of a member of Messrs Binny & Co's staff as employer—representative of labour and another who represents the temperance movement. It was a surprise to me that such an official element on the Excise Licensing Board came to a decision to abolish one foreign liquor shop, one arrack shop and one ganja shop. What is more surprising to me is that in spite of a mostly, if not purely, official body's decision, the Board of Revenue should have stepped in and rejected the recommendation. I conceive this to be a serious encroachment upon the privileges which are said to have been conferred upon the members of the Excise Licensing Board. Sir, it has been pointed out by the hon. the Minister for Education that there has been no agitation with regard to these shops. I am afraid one who would not see could never see. I am indeed surprised that the hon. the Minister for Education should be so ignorant of the conditions of the City of Madras as not to know that there is strong agitation in favour of closure of these shops. I want, and I beg hon. Members of this House to accompany me to Nainappa Naick Street to see the condition of the shop, in what place it is located and what sort of people resort to that shop. Sir, it is just adjoining the Chennapuri Annadhana Samajam."

* The hon. Rao Bahadur Sir A. P. PATRO :—" It is far away from that Samajam."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" I am afraid the hon. the Minister for Education should get himself better acquainted with the topography of the City of Madras."

* The hon. Rao Bahadur Sir A. P. PATRO :—" I know much better than the hon. Member who came from a distant district."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" Both of us came from distant districts. The hon. the Minister for Education had only visited this city from time to time; and he was not therefore recognized to be a resident of the city until he became a Minister. It is just adjoining that Chennapuri Annadhana Samajam. You know the history of the Samajam which

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is an institution for decrepit, old, crippled and poor people. Just opposite to that institution, imagine the location of an arrack or a toddy shop! Even according to the recognized instructions in the Excise Manual, this is against those conditions which we ourselves have laid down. There is perhaps no one tavern, no one liquor shop, no one arrack shop which does not in one manner or other militate against the principles we have laid down in the Excise Manual for the location of these shops. We can see liquor shops just before a church, just behind a temple, just opposite to a Corporation Model School, and in the midst of a cheri (Mr. Veerian : Hear, hear!). These are the conditions in which we are asked to live and though the Excise Licensing Board makes some modest request that one foreign liquor shop, one tavern, one arrack and one ganja shop should be closed, the Board of Revenue steps in and says : ' I know better than you do ; I am going to reject your recommendation '. The hon. the Minister while appreciating the action of the Board of Revenue, in having come to this conclusion, has deprecated the recommendation of the Excise Licensing Board consisting of no less than the Collector of Madras, Assistant Commissioner of Police, and the Assistant Commissioner of Salt, Abkari and Revenue and that, in the face of the fact, that the Collector of Madras is expected to know more and very much better than the Commissioner who sits in Chepauk. It is a novel state of affairs that I myself have never experienced, a situation when the Collector of Madras ever voted for the abolition of these shops.

" Peculiarly enough, we have an instance and it would have been graceful if the Government had only asked the Board of Revenue not to countermand the decision of the Licensing Board. The hon. the Minister in support of the position he has taken said that these shops had been in existence for forty years. Yes, Sir, we know that they have been in existence for forty years and that is one reason why we should be saved from an evil from which we are suffering for the last forty years. That it should be an argument in favour of retention takes my breath away and I cannot conceive of a hon. Minister saying that, because the evil has been there for forty years, he is not going to heed the request that it should be removed."

* The hon. Rao Bahadur Sir A. P. PATRO :—" It is not considered an evil."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" Here is another admission that it is not considered an evil."

* The hon. Rao Bahadur Sir A. P. PATRO :—" It is not considered as an evil by the people, because there was no protest."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" There have been protests. The Excise Licensing Board has stated that these are shops which are most objectionable. We have made recommendations in season and out of season, but the Government refuse to heed our proposals. To say that there has been no agitation against the location of these shops is a travesty of facts. To say that the evil has been there for 40 years and that therefore we cannot now reconsider the situation, only means that no shop can be removed hereafter, because all the shops are forty years old. All the shops which have been existing for over forty years should be given such a new lease of life by the hon. the Minister is really regrettable.

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"Sir, may I appeal to the hon. the Minister as one who has a right to speak on behalf of the citizens of Madras, that, because these shops are an eye-sore and are always objected to by the residents, they may be closed if not for anything else at least to uphold the dignity and the power vested in the Excise Licensing Board and to see that the Board of Revenue's unnecessary interference with the decision of the Excise Licensing Board is not upheld. If the hon. the Minister takes up any other attitude on account of the fact that the proposal comes from a party opposite to him, I can only say that he himself will be sorry for this kind of decision. I shall not be ashamed to make a political capital of this. I shall go about in the streets of the City of Madras and say that this party has stood against the removal of these shops. I shall not be ashamed to do so, because I know the people of Madras do not want those shops there, and I know my hon. friends, Messrs. Natesa Mudaliyar and Madanagopal Nayudu will heartily agree with me that these shops are very objectionably situated and the people of Madras are against them. There is no use of merely voting with the party simply because we are in that party. I am not approaching this question as a party question. Nor did my hon. Friend, Mr. Adinarayana Chettiyar, treat it as a party question. The hon. the Minister has interpreted it as a party question. It is not necessary that everything should be viewed through party spectacles and rejected. To the members of the depressed class who always find fault for disregarding the inconveniences to the depressed classes in the City of Madras, may I make an appeal and say that this is a subject in which they ought to heartily join with us in getting rid of this pest in the City of Madras. Sir, to those who do not wish to be moved either by piteous appeals or eloquent speeches or by strong arguments, I cannot make a more sincere appeal than what I have done."

* Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President, I think it is the policy of the Government to close one shop every year, even toddy shops. It is with that policy I think that a toddy shop was closed last year in the 28th division, and one shop this year in the 26th division. It is promised that one shop in my division (25th division) will be closed next year. I have even waited upon the Collector of Madras to see that the shop in my division is closed and he has promised. Now, the Collector of Madras told me the other day that he was not sure whether the shop in my division will be closed or not. Most probably he fears that the Board of Revenue will interfere. The question is now before the Board. May I request the hon. the Minister that when the matter comes up before the Government, they will consider the case favourably and see that the Board of Revenue does not interfere with the discretion of the Licensing Board. That is a request I make of the hon. the Minister."

* Mr. S. SATYAMURTI :—"I beg to propose that the question be now put."

The motion for closure was put to the House and carried.

4 p.m. * The hon. Rao Bahadur Sir A. P. PATRO :—"I thought the hon. Mover had amended the adjournment motion."

(Voices :—"No. No.")

MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE 459
REGARDING THE REFUSAL OF THE GOVERNMENT TO ACCEPT CERTAIN
RECOMMENDATIONS OF THE EXCISE LICENSING BOARD

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* The hon. the **PRESIDENT** :—" It is too late now."

The question was put to the House and declared lost. A poll was demanded and the House divided thus :—

Ayes

- | | |
|-------------------------------------------|--------------------------------------------|
| 1. Mr. J. A. Davis. | 13. Mr. P. Anjaneyalu. |
| 2. Rao Bahadur C. V. S. Narasimha Raju. | 14. " C. Marudavaram Pillai. |
| 3. Mr. C. Ramalinga Reddi. | 15. " V. Pantulu Ayyar. |
| 4. Rao Bahadur T. A. Ramalinga Chettiyar. | 16. " R. Veerian. |
| 5. Mr. J. A. Saldanha. | 17. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 6. " P. Siva Rao. | 18. Rai Bahadur T. M. Narasimhaachari. |
| 7. " A. Ranganatha Mudaliyar. | 19. Sriman Sasibhushan Nath Mahasayo. |
| 8. " A. Chidambara Nadar. | 20. Mr. Sami Verkatachalam Chettiyar. |
| 9. " K. Koti Reddi. | 21. " R. Srinivas Ayyangar. |
| 10. " S. Muttayya Mudaliyar. | 22. " Uppi Sahib. |
| 11. " S. Satyamurti. | 23. " C. V. Venkataramana Ayyangar. |
| 12. " T. Adinarayana Chettiyar. | 24. " Naganna Hegde. |

Noes.

- | | |
|-------------------------------------------------|-------------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 23. Mr. T. Mallesappa. |
| 2. " Mr. N. E. Marjoribanks. | 24. Rao Bahadur B. Muniswami Nayudu. |
| 3. " Khan Bahadur Muhammad Ueman Sahib Bahadur. | 25. Diwan Bahadur A. M. Murugappa Chettiyar. |
| 4. " Mr. T. E. Moir. | 26. Mr. A. Ramaswami Mudaliyar. |
| 5. " Diwan Bahadur Sir P. N. Sivagnanam Pillai. | 27. Diwan Bahadur P. C. Ethirajulu Nayudu. |
| 6. " Rao Bahadur Sir A. P. Patro. | 28. Rao Bahadur Cruz Fernandez. |
| 7. " the Raja of Panagal. | 29. Rao Sahib P. V. Gopalan. |
| 8. Mr. F. R. Evans. | 30. Rao Bahadur K. Krishnaswami Nayudu. |
| 9. " G. T. Bong. | 31. Rai Bahadur Sir K. Venkatarreddi Nayudu. |
| 10. " V. Pandrang Row. | 32. Rao Bahadur C. Natesa Mudaliyar. |
| 11. " F. Noyce. | 33. Mr. P. K. S. A. Arumuga Nadar. |
| 12. " Abdulla Ghatala Sahib. | 34. " A. V. Banaji Rao. |
| 13. " S. Arpudaswami Udayar. | 35. Rao Sahib S. Ellappa Chettiyar. |
| 14. Rao Sahib T. C. Tangavelu Pillai. | 36. Diwan Bahadur M. Krishnan Nayar. |
| 15. Mr. K. Prabhakaran Tampam. | 37. Mr. P. I. Rajan. |
| 16. " T. M. Ross. | 38. " J. D. Samuel. |
| 17. " C. F. Wood. | 39. " Sarabha Reddi. |
| 18. Capt. E. J. Windle. | 40. Rao Sahib R. Srinivasan. |
| 19. Mr. B. Panachandra Reddi. | 41. Mr. Sitarama Reddi. |
| 20. " K. S. Ponnuswami Pillai. | 42. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 21. " R. Madanagopal Nayudu. | 43. Mr. K. Venkatachala Padayachi. |
| 22. Honorary Lieutenant Madurai. | |

24 hon. Members voted *for* the motion and 43 hon. Members *against* it ; the motion was lost.

V.—ALLEGED ASPERSION ON THE DIGNITY OF THE HOUSE—*cont.*

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" Mr. President, will you permit me to make a statement with reference to something that. . . ."

* The hon. the **PRESIDENT** :—" I think the hon. Member Mr. Anjaneyalu wanted to make a statement."

Mr. P. ANJANEYALU :—" Sir, this morning I wanted to bring to your notice and the notice of the House certain language, reported in the *Hindu* of the 10th February 1926 under the heading of ' City Corporation affairs,'

[Mr. P. Anjaneyalu]

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as having been used by an hon. Member of this House in a non-Brahman public meeting. Speaking about the Commissioner of the Corporation the report says

'It was really very difficult for him to see what was wrong with the Commissioner. But he found that questions were put not for purposes of eliciting information but for individual satisfaction and insinuation of others. He thought that such degradation of the privileges was confined to the Legislative Council only. It had also descended to the Corporation.'

"My purpose in bringing this to your notice is because the speech casts an aspersion that such a degradation of the privileges was confined only to the Legislative Council and that it was the special commodity in which the hon. Members of this House seem to traffic. I regard and I feel no doubt, that the hon. Members of this House will regard that as not only inelegant but unfair to the hon. Members and to you Mr. President. You are the custodian of the privileges and the dignity of this House. Therefore I appeal to you, Sir,—if this report is correct—to take such action in the matter as you may deem fit. We may exchange whatever amenities we like and we may use whatever language we like within the four walls of the House. But I want to know whether an hon. Member will be justified in doing this. If hon. Members of this House are attacked directly or indirectly, it is an encroachment on the privileges of the House; it would be casting an aspersion on them. I was told in a private conversation. . . ."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"My hon. friend will leave it to me to say that."

Mr. P. ANJANEYALU :—"I think the hon. Member is going to say that he did not use that language."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"Mr. President, Sir, the report in the *Hindu* is with reference to a speech which I had to make two or three days ago in the Soundarya Mahal while presiding over a public meeting. A question arose—or at least I put it to myself—as to the manner in which the privilege of asking questions in the Legislative Council and in the premier Corporation of this Province and I particularly referred to two questions that were put in this House. With regard to one question, I said that it should have been put while the gentleman attacked was in this country and should not have been put while he was six thousand miles away and I added that not a single question was dared to be put while he was here. I said that it was not courageous on the part of the hon. Member."

* Mr. S. SATYAMURTI :—"On a point of personal explanation, Mr. President, is the hon. Member going to attack me under cover of making a statement? It is really monstrous." (Laughter.)

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"If that seems monstrous, I cannot help it. I am on my defence and I am bound to tell you what has happened there. The newspaper did not report me fully or correctly and I am now making a correct statement of what happened there. I did not use the word 'cowardly' though I would not have hesitated to do so; I only said it was not courageous of any member of this House to take advantage of the protection afforded by these four walls to attack a gentleman who was not present in this House or even in this country."

* Mr. S. SATYAMURTI :—"On a point of personal explanation, Mr. President. The fact that Sir Arthur Knapp as a Member of the Government

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[Mr. S. Satyamurti]

owned hundreds of pounds in the Pullengode Rubber Estate whose loans were written off was not known to this House or to me until that morning. It is not correct on the part of the hon. Member to suggest that I would not have put the questions, if I had known the facts earlier."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I do not know that. I was there on a public platform at a public meeting. I think it was my right to speak in a free country my free opinion in a free manner. If there was anything wrong in that, it was open to them to take action against me in a court of law. Instead of that they come to this House and want it to thrust it upon you, Mr. President, by saying that I have attacked you. The whole speech is not quoted but only by quoting a portion they want to prejudice you against me." (Laughter.)

* Mr. S. SATYAMURTI :—" On a point of personal explanation again. I had no knowledge of the fact of my hon. friend's going to mention it, until he mentioned it this morning. To say that we have come here with a motive is a terminological inexactitude."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I refer to the first speaker, Sir, who said that it was an encroachment on the privileges of the House "

Mr. P. ANJANEYALU :—" I only said that if the statement as it appeared in the paper was correct it was an encroachment on the privileges of the House and would be casting an aspersion on you and on the Members of this House."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" Absolutely nothing of the kind, Sir. I said that it was not courageous or not decent to abuse the privileges of the House."

* The hon. the PRESIDENT :—" Before the hon. Member proceeds further with his explanation, may I ask him if he accepts the statement that the report in the newspaper has correctly interpreted his view. If it did not, there is an end of the question."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" You will excuse me, Mr. President, if I have chosen to give the full speech. It would be better if the whole speech were reported and if the exact wording were known and if the circumstances under which such statements were made were explained. What is found here is a condensation of a speech which occupied five minutes and would have contained about a dozen sentences at least. I only said that it was not decorous and consistent with the dignity of the House that any member should take advantage of the protection of these walls again and say that the Ministers were squatting upon the private citizens when I know of private citizens who would consider it an honour if the Minister would condescend to come to their houses. (Cries of ' Oh '.) I have known much better. I have known men who have longed for it. It is of course easy to laugh away. I stated that this practice was repeating itself in the Corporation. Even there I quoted these instances and they have been omitted by the newspaper. It is not my fault, nor is it the fault of the *Hindu* for, they have got limitations of space. But the insinuation that I ever had the intention of thinking of you at all and of this House is absolutely unfounded, to say the least of it. I

[Sir K. Venkatarreddi Nayudu] [12th February 1926]

have known many members on this side and some members on the other side also, put useful questions. It was not my object to say that every question that was put in this House was wrong. I only said that certain hon. Members of the House were using the privileges of the House for their own purposes which was not consistent with the dignity of the House and its reputation."

* The hon. the PRESIDENT :—"In view of the fact that the hon. Member has repudiated the statement as reported in the papers, we may take it that the question is closed. The hon. Member has not cast any reflection on the Chair or on the House."

IX. DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1925-26 -cont.

Grant XIX. Public Health and Vital Statistics.

* The hon. the RAJA OF PANAGAL :—"Mr. President, Sir, I beg to move

'that the Government be granted an additional appropriation of Rs. 10,000 under "Grant XIX Public Health and Vital Statistics—Transferred—33 (a). Public Health—Public Health Establishments—(i) Direction—Pay of Officers—Voted".'

4-15 p.m. "Sir, a sum of Rs. 23,100 had been allotted under Public Health for the pay of officers—voted. There was, however, an increase of expenditure under that head. The reasons for the increase are that one of the Assistant Directors had to take leave till September, another Assistant Director who went on leave and returned from England before the expiry of his leave, a third Assistant Director was given leave from November and as these circumstances could not have been foreseen by the Director of Public Health when he prepared the budget for the current year, a further sum of Rs. 10,000 is required and it could not be met from savings effected under the head. This demand has been supported by the Finance Committee and I hope the House will pass it."

The demand was put and carried and the grant was made.

Grant XXI. Civil Veterinary Services.

* The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—"Sir, on the recommendation of His Excellency the Governor, I move

'that the Government be granted an additional appropriation of Rs. 77,300 under "Grant XXI. Civil Veterinary Services—Transferred—34 (b) Agriculture—Veterinary—(iii) Touring Establishment—Supplies and Services—General—Apparatus and materials".'

"At the time when the budget for the current year was prepared, we thought, relying upon past experience that a provision of Rs. 41,200 would be sufficient for meeting the cost of serum required for rinderpest operations. Unfortunately from the beginning of the year, rinderpest has been prevailing in a very severe form and the demand for serum has been abnormally heavy. It was found that before the year closed, we should have to spend Rs. 1,18,500. And deducting the provision of Rs. 41,200 we want a sum of Rs. 77,300. But this amount can be reappropriated from sources which have been pointed out in the budget relating to the Forest department. This proposition has been approved by the Finance Committee and I hope the Council will pass it."

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* Mr. J. A. SALDANHA :—“Sir, I move that the allotment of Rs 77,300 be reduced by Rs. 100. My object is to raise the question of the paucity and inadequacy of pay of the subordinate veterinary officers. The establishment is required for injecting the serum and carrying out other relief measures which the Veterinary department is expected to do. I appeal to the hon. the Finance Member to support my demand for increase of pay and suggest the means. My point is this. At present we have got a top-heavy department with five Imperial officers and five Provincial service men. Below them, we have got a large number of assistants between Rs. 60 and Rs. 120. All of them have undergone a three years educational course in the Veterinary College. There is provision at present only for ten appointments in the Selection grade. A wonderful selection grade it is, and you can fancy, Sir, how ten appointments for 193 officers will meet the requirements of the situation. I have some intimate experience of what is going on in South Kanara, and I am certain that, even in regard to the extent of aid given by these people, it cannot be considered adequate. My own suggestion is that there should be at least one veterinary hospital for each taluk. Again, if in the matter of pay, there is much reason for improvement of their position, the conditions in regard to their housing need our attention also. They have been provided with houses or cottages and, at least in South Kanara with which I am acquainted, the residence is a low building with space only for servants' quarters. I am quite sure that the veterinary officers, at least in South Kanara, feel the want of accommodation very keenly. Lastly, they are left without a peon and they have to employ a cooly while going from place to place. The establishment at the headquarters is very poor and though the itinerary officers are found to be of much use in the treatment of chronic cases, sufficient establishment should be provided to attend to urgent cases at the headquarters lest, by the time the itinerary officer comes to the place, the animal should die. Formerly we had a number of quacks who had their own medicines for the cattle, but now they have disappeared and the country is to depend largely upon the veterinary officers' services. And therefore, I should think it necessary to sanction a larger amount under this head but I may ask, 'who is there to inject the serum?' What is the use of having a large amount sanctioned when you have not an adequate establishment to carry out the object? I would, therefore, appeal to the hon. Minister and the hon. the Finance Member who is to find the funds, to see in the coming year that sufficient provision is made for a larger establishment, to see that the officers are better treated not only as to pay but as to accommodation and as to their establishments. I hope that adequate steps will be taken in the direction.”

Mr. V. PANTULU AYYAR :—“Sir, I move that the allotment be reduced by Rs. 100, my object being to urge upon the Government the necessity for establishing one veterinary hospital in each taluk.”

* The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“As regards the inadequacy of the pay, I may tell the hon. Member from South Kanara that the whole question was discussed year after year and it has been resolved that the present pay should be given to the veterinary officers and it is quite early now to think of any retrenchment or increase. As regards the number of officers, I have got a statement which will show how we stand as compared with other presidencies. It is for the information of my hon. Friend. There is nothing about which we need complain. But,

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however, it is my intention, if possible, to provide a veterinary assistant for each taluk throughout the presidency. That is a matter of finance. We are having that idea in view and, as soon as our finances improve, we hope to get the necessary establishment. I suppose that is all that I am to reply to."

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, I do not want to impose any additional burden on the finances of the province. I think that, even with the present resources, something may be done in the direction just suggested by my hon. Friend, Mr. Pantulu Ayyar. I suggest that the itinerary veterinary assistant surgeons may be put in charge of a dispensary each. I have addressed a letter to that effect and I think an experiment has been started in Kistna and, if the result is favourable, I hope it will be extended to other districts as well. "

* The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—" The experiment is to be tried in Kistna and if it is found successful, we will extend it to other districts. "

The demand was put and carried and the grant was made.

Grant XXVI.

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I beg to move

' that Government be granted an additional appropriation of Rs. 18,400 under " Grant XXVI—Labour including Factories—Reserved—37 Miscellaneous Departments—Miscellaneous—Commissioner of Labour—(iii) Depressed Classes—Betterment" for construction of wells, pathways, etc., for the depressed classes. '

" From the explanatory note placed in the hands of the House, it will be seen Rs. 15,500 was spent on account of the recent damage by cyclones to the Sitanagram settlement; and an additional provision of Rs. 22,400 is necessary for the construction of wells, pathways, etc., for depressed classes. Of this additional provision required, Rs. 4,000 can be found from the grant 'Labour, including Factories' from the reserve with the Commissioner and from the provision made under 'Inspector of Factories.' In these circumstances, a sum of Rs. 18,400 is necessary and the supplementary grant will be met from the anticipated closing balance for 1925-26. I hope the House will pass it. "

* Rao Bahadur C. V. S. NARASIMHA RAJU :—" Mr. President, I have some remarks to make regarding this grant. My knowledge is confined only to the facts supplied this morning. It is clear that early in April or so, a sum of Rs. 16,500 was reappropriated from out of the grant made for the construction of wells for depressed classes for repairing the Sitanagram settlement.

" First of all, how far such a reappropriation is justified is a matter to be examined. Immediately after the budget was sanctioned, some necessity was felt by the Labour department for restoring the Sitanagram settlement on account of the damages done to it by the storm in April or May. Without examining the question whether the whole amount that was allotted for wells for the depressed classes could be utilized, and whether there would be any surplus in the grant, early in the year, they have taken away

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Rs. 16,500 from that grant. Is such a thing permissible? I can understand that if in any department an allotted amount could not be utilized for various reasons, and if the department finds that there is a surplus, they may be justified in reappropriating it under the financial rules under the same minor head. But it is not a case of that sort. Here is a lump sum of Re. 1 lakh and odd allotted for the construction of wells for the depressed classes during the year 1925-26 and what has the department done? They have surrendered early in May or June a sum of Rs. 16,000 and odd for utilization on the Sitanagaram settlement. Is it a justifiable conduct on the part of the Government? We can expect them to surrender such amount when they find that the full allotted amount for the purpose could not be utilized. I do seriously object to such transfers of funds. Really, the hon. Member ought to have come forward for a grant for this purpose, viz., for Rs. 16,000 and odd for the Sitanagaram settlement. That is not the question that is now raised in this House. What is it they have done? They have allotted Rs. 16,000 and odd from the provision for wells for the depressed classes for utilization on the Sitanagaram settlement and utilized it, because in a way laxity in the construction rules allows such a kind of reappropriation. A strict adherence to the rules or the procedure generally adopted cannot allow such a reappropriation. Now, what is it they say? They say 'We have allotted Rs. 16,000 and odd; for that purpose we have taken it away from this provision. Now we want a further amount of Rs. 16,400 for the depressed classes.' The House is placed in a peculiar position. This House cannot, having regard to some sympathy for the depressed classes, be called upon to vote against such a grant. If really the demand for Sitanagaram is before us, we will have to examine and grant it. We know, as a matter of fact, that it is not entirely an institution run at the cost of the Government. It is an institution that is run by a missionary body and Government is contributing to it. We have to examine how far that cost is to be paid,—whether wholly by the Government or partly by the Government and partly by the missionary body. This treatment now accorded to the grant removes from the jurisdiction of this House the examination of the question whether the Government is justified in allotting Rs. 16,000 and odd for the Sitanagaram settlement. Will the hon. the Home Member explain to us whether he is justified in coming forward with this demand in this form? Is he not called upon to put forward the real demand before the House and ask us to allot Rs. 16,000 and odd for the Sitanagaram settlement? I say it is a circuitous way of putting things, not fairly dealing with the House. The Government ought to have put the real demand for the Sitanagaram settlement before us and asked us for a vote. If we are not prepared to give the vote, you have got your rights, because it is a reserved subject. But to manipulate things like this is surely objectionable, and I do not think the hon. the Home Member is fully aware that the way in which this subject is treated is at all treating this House well."

* The hon. Mr. T. E. MOIR :—"Sir, if there has been any irregularity in this matter, I must take the responsibility. Perhaps you will permit me to answer the question which has been put by the hon. the Leader of the Opposition. He has suggested that the procedure adopted has been irregular and unauthorized."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—"I never said 'unauthorized,' but I said 'circuitous.'"

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* The hon. Mr. T. E. MOIR :—“ He has suggested that the procedure adopted has been irregular. Now, these questions of reappropriation are dealt with under the standing rules which are contained in the Devolution Rules. Devolution Rule No. 38 lays down that the Finance Department shall have power to sanction any reappropriation within a grant from one major, minor or subordinate head to another. My hon. Colleague asked for this reappropriation perfectly correctly and had the matter referred under the Devolution Rules to the Finance Department which acted on the very authority conferred on it by the Devolution Rules, and gave its sanction to the reappropriation. Now, there was no irregularity of any kind. My hon. Colleague was entirely correct in the matter and the Finance Department was acting entirely within the powers conferred upon it by the Devolution Rules. So long as funds are available for reappropriation within a grant, it is the custom, I think, I may say of any financial system—our own financial system is based on that of the House of Commons—that reappropriation should be made within the grant. Therefore, if it is found that reappropriations are not available, then the department concerned puts forward a demand before the Legislature for such additional funds as are required. As regards this grant, my hon. Colleague has said perfectly correctly that it was essential for the re-housing of the criminal settlement, a subject which comes within the scope of the grant and within the charge of my hon. Friend and it was a matter which could not be postponed. As soon as it was found that the funds which were available were not adequate to complete the works, namely, the construction of wells which were being carried out for the depressed classes by the Labour Department, steps were taken to place the demand for an additional sum to complete the works before this House and that is what has been done. I am afraid I am unable either to plead guilty for myself or to having been a party to any financial irregularity of any kind.”

* Mr. R. VEERIAN :—“ Sir, I should like to know by way of some information from the hon. the Home Member in charge of this portfolio in what districts this amount is going to be spent. It is very likely, Sir, that this amount will be spent only in the districts in which the activities of the Labour Department are being carried on, namely, Tanjore, Godavari, Kistna, Guntur, Bellary, South Kanara, Chingleput, South Arcot and Trichinopoly and there too only in particular taluks where their activities are confined. Sir, in the communiqué issued by the Government, dated 8th March 1920, you will find that the total population of untouchables in each of the other districts also is very great. Therefore, Sir, I should like to know whether the amount is going to be spent only in those districts, that too in particular taluks, where the activities of the Labour Department are carried on now. And I want to point out, Sir, that the sufferings of the so-called depressed classes in several respects are very great in other districts also and, therefore, I should like to know from the hon. the Home Member as to what he proposes to do in the matter of giving relief to the depressed classes in other districts where the Labour Department is not working. Is he going to allow them to take care of themselves until the operations of the Labour Department are extended to those places ? ”

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I entirely sympathize with the hon. Member, Sir, in his wishes that the Labour Department should extend its activities. If funds permit, I shall do my very best to see that the activities are extended as far as possible. But it is obvious, Sir, that we cannot, do these works in the districts where the

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Labour Department does not exist at the present moment Rs. 18,400 is not after all a big sum, Sir, and it is required for the districts where the Labour Department is now having its activities. Under these circumstances I am unable to give an assurance that anything will be done in the districts where the Labour Department is not carrying on its activities. I shall certainly remember the request, and shall do my very best with regard to the districts where it is not working."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I am afraid the hon. the Home Member has not paid sufficient attention to the question that there should be a fair distribution of the allotments made from time to time among all the districts of the Presidency. Two years ago, I raised the question as to the appointment of these District Labour officers throughout the Presidency and the hon. Sir Arthur Knapp then told us that the question of extending these operations to other districts was under consideration. Two years have passed away and nothing has been done. It is not a question of Rs. 18,400, but it is a question of the adequacy of the whole amount of Rs. 1 lakh and odd to be distributed to several District Labour offices. In answer to a question put by me some time ago, as to why the operations of the District Labour offices have not been extended to other districts, the reply given was that owing to want of funds, more officers were not appointed. If it is recognized that the object is one which is for the benefit of all persons of the depressed classes throughout the Presidency, the mere fact that it is not found feasible to appoint District Labour officers in some districts of Presidency ought not to be an impediment in the way of going to the relief of the depressed classes in those districts. If, for that reason, the hon. the Home Member should find it difficult to appoint more District Labour officers, is it not open to him to appoint certain other district officers now to discharge the duties of the Labour officers, to carry on their activities? Even before the Commissioner of Labour was appointed or the District Labour officer was appointed in some districts, the Collector or some of his subordinates were doing the work for the amelioration of the depressed classes. They were all discharging these functions fairly satisfactorily. The mere fact that you have not found it feasible to appoint more Labour officers cannot be an excuse for not extending these operations to all the districts. May I, therefore, bring to his notice that having two years ago stated on the floor of this House that the question of appointing District Labour officers throughout the Presidency was under consideration, to say now that we should confine ourselves to only ten districts which shall have the benefit of this allotment is unreasonable and unjustifiable and I must object to it. Indeed, if the hon. the Home Member cannot now see his way to have the District Labour officers appointed in the other districts of the Presidency, I think it is up to him now to take immediate steps and to see that the Collector of the district or some other person not less than the rank of a Revenue Divisional officer is appointed to discharge the duties of the Labour officers, so that the other districts of the Presidency can also have the benefit of this allotment. We must look at this question from the standpoint of all. It is not a question of Rs. 18,400 and I am not suggesting this for opposing this grant, but I am saying that the way in which work is being done is certainly unfair and unreasonable. Let it be equally distributed all over the Presidency. There is still time for the hon. the Home Member to rectify the mistake and to see that something is done."

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4-45
p.m.

Mr. K. KOTI REDDI :—" Mr. President, before we are called upon to vote on this demand, I want some information as to the way in which the Labour Department is carrying on its work in connexion with the reservation of land and granting of relief to the depressed classes. Sir, I entirely sympathise with the desire on the part of the Government to secure as much land as possible to the depressed classes; but the way in which that is being worked in the villages is really a great hardship to some people and as a result of that, it is alienating the sympathies of the villagers from the depressed classes. Sir, whatever we might do here and whatever our ideas might be, unless we are in a position to secure the sympathy of the villagers towards the depressed classes, the condition of the depressed classes will be really very hard. There is really an impression amongst the villagers that the Government is helping the depressed classes unfavourably as against the interests of the villagers as a whole. I would only draw the attention of the hon. Member to a few instances that have been brought to my notice to show how it is that the villagers are made to feel the way in which these rules are being worked. I really do not believe that the Government have framed any definite rules to regulate the conduct of the Labour officers. I only believe that the Labour officers in their enthusiasm have sometimes to use their discretion in a way which is bound to alienate the sympathies of the villagers from the depressed classes.

"First of all, in connexion with the granting of lands. I do not know if the hon. Member has travelled through some of those dreary black-cotton soil parts in the Ceded Districts. If it is during summer, you rarely come across a tank or a kunta where there is some water for men or cattle to drink. That is the ordinary position of the black-cotton soil parts. Sir, under those conditions some philanthropic and good villagers, realizing those conditions in those parts, from time immemorial have endowed lands, have bestowed some money for the construction of wells where water is reserved, kuntas and topes for the purpose of affording shade to cattle, and water for cattle and men to drink. But those people who endowed that property never thought that a time would come when that property would be given away to the depressed classes. Believing that if that property was given to the Government they would be relieved of the burden of assessment and secondly that Government is a perpetual institution which is likely to carry out the intentions of the donors in regard to their endowments much better than any individual could do, a number of people have given away those kuntas and topes to the Government. With what result, Sir? On account of want of rainfall or gradual cessation of rainfall for one, two and sometimes three years, these kuntas disappear with the result that when the depressed classes now apply for those lands to be given, in a good many places those lands have been given away to the depressed classes. The result is that the villagers are suffering for want of water for themselves and for their cattle. Then again, topes which give shade both to men and cattle are given away to the depressed classes, and this is another way how the Government is alienating the sympathies of the villagers from the depressed classes."

The hon. the PRESIDENT :—" Before I allow the hon. Member to proceed, may I take it that he is opposing the motion for the grant of an additional sum as moved?"

Mr. K. KOTI REDDI :—" Well, Sir, if that is the only way of drawing the attention of the Government to these matters, I am prepared to oppose

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the grant. Otherwise, I do not intend to oppose. There are cases where villagers have been holding these lands for many years, even for 30 years, under the impression that they could have those lands for a long time. For instance, if I take up a land and cultivate it for one year, then leave it next year to another and so on, under such circumstances it is quite possible and reasonable that that land could be given away to the depressed classes. There are on the other hand innumerable instances in our districts where a man has been enjoying that land, not under permanent ryotwari tenure I admit, but for years together. Under those circumstances without giving that ryot an opportunity to state whether he would have it again, to give away that land to a person belonging to the depressed classes is really very hard. I know of an instance where a land which has been actually bought, under the mistaken impression that it belonged to the founder, for a price, a land that has been in his enjoyment for nearly 20 years, that piece of land has been given away to the depressed classes.

“Another circumstance that I want to bring to your notice is this. There are instances where a man holds some land and there is a smaller bit of land close to it or in the middle of it which belongs to the Government and which is now reserved for the depressed classes, with the result that this small piece of land is not useful to the depressed classes man as he cannot go and cultivate it, whereas this ryot who holds the surrounding land cannot get it also. These are instances where easily, by a wise use of discretion on the part of the Labour officer unnecessary hardship can be avoided, so that such hardship need not be created among the villagers. On the other hand, there are certain other pieces of land which though they do not, no doubt, belong to individuals, is a great convenience to the villagers. Such lands are village commons, small pieces of land where cattle as soon as they are let out in the morning would stop for an hour and a half before they go out for pasture. There are instances in which it is found impossible for people to have such lands, and consequently it is impossible for people to provide a halting place for their cattle. Recently an instance has been brought to my notice. Out of a piece of 24 acres, 2 acres have been given away to the depressed classes. There was no complaint from the villagers at first; but at that time the Collector went there, received complaints from the villagers that that was a piece of land which measured only about 2 acres and it was very useful to the villagers because all those people wanted that land for their cattle to stay in the manner I stated. That land was not given to the villagers. Again, there have been a number of darkhasts and the villagers are complaining about it, but the result is not known. I am afraid it would not be granted. Unless therefore the Government make rules so as to regulate the discretion of the Labour officers to see that no undue hardship is caused to the villagers, I am afraid the sympathies of the villagers would be alienated. Whatever the Government may do for the depressed classes, it would be very little after all compared with what can be done by the villagers. I know of instances where on account of the way in which these rules are being worked the Government find that they cannot give all the help they want to give to the depressed classes, if the villagers oppose them. That is not unnatural because they know that these rules are being worked unnecessarily against their interests. If it is only a question of an individual suffering, I can understand it. But when it is a question in which all villagers are interested, say a kunta or a tope or a piece of land, and when that is given

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away to the depressed classes without the slightest consideration for the convenience and general benefit of the village as a whole, I think the Government ought not to be a party to such a kind of thing. I am afraid unless certain rules are framed so as to regulate the discretion of the Labour officers, especially with regard to this grant of land, things will go on very badly.

"Another point that I want to bring to the notice of the hon. Member is this. Unhappily, the benefit of the rule regarding assignment and reservation of land to the depressed classes is going only to particular sections of the depressed classes. After all, the depressed classes do not consist of the Malas and Madigas alone. As far as I know, most of these lands are, somehow or other, being given away to Malas and Madigas. It used to be given to, Christians at first, but now it is given not only to Christians but also to Malas and Madigas. What I want to say is that in the villages there are other communities which are equally poor and whose condition of life, etc., are equally bad as those of the Malas and Madigas. There are the Yerukalas and Sugeedis for instance. Somehow or other there is the impression that these lands are reserved, not to these latter, but only for Malas and Madigas. It is better that that impression is removed and that these lands are given not merely to Malas and Madigas but also for the other depressed classes. If I get a proper answer to these questions, I would be satisfied. I have not the slightest intention to oppose the grant, but I want to draw attention to these matters because I strongly feel that much hardship is being created among the villagers. Unless the Government see that the villagers' sympathies are also on their side for the uplift of the depressed classes, whatever may be done by the Government, however much they may try to help the depressed classes, absolutely nothing can practically be done to benefit the depressed classes for all time."

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur — "Sir, I am very thankful to my hon. Friend, Mr. Krishna Rao, for goading me on to extend the activities of the department. I shall try to do so. I think the Depressed Classes Committee meets to-morrow and I shall place the suggestion made by the hon. Member before it, and see what I can do in the matter. With regard to the point raised by Mr. Koti Reddi, I can at once say that the policy of the Government is not only to uplift the depressed classes but also to bring it about in such a way as not to come into conflict with the caste Hindus. That is the definite policy of the Government. But at the same time, I would request my hon. Friend to realize that he has got a duty towards these depressed classes, to help them, to go about the villages, and see that these depressed classes are treated as human beings. I hope the hon. Members will remember that. The Depressed classes have been suffering from age-long disabilities, and it is time that something is done to improve their condition and status. With regard to the question of assignment, my hon. Colleague the Revenue Member wants to say a few words."

* The hon. Mr. N. E. MARJORIBANKS :—"Mr. President, Sir, I only wish to say that I was unable to follow the allegation that endowed lands had been handed over to the depressed classes. I do not see how it is possible. The other point

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* Mr. A. RANGANATHA MUDALIYAR :—“ I could not quite catch that, Sir. Will the hon. Member kindly repeat it ? ”

* The hon. Mr. N. E. MARJORIBANKS :—“ I did not follow the allegation that endowed lands have been handed over to the depressed classes. I do not know how it was possible and how lands held by private persons on inam tenure could be handed over to depressed classes.”

* Mr. A. RANGANATHA MUDALIYAR :—“ Mr. Koti Reddi meant porambokes such as kunta porambokes, vanka porambokes, etc.”

Mr. K. KOTI REDDI.—“ May I explain, Sir, as there is a doubt as to exactly what I meant ? What I meant was this : these lands were held not in the regular sense of inam tenure, but what has happened is this. Once the land belonged to private individuals and such individuals constructed kuntas for charitable purposes, owing to so many considerations such as that the individual may not live long, that there would not be any assessment if it is made into a kunta, etc. So, such people gave up the lands, not under the Charitable Endowments Act, but simply gave them away to the Government as it is a perpetual body, to carry out the public purpose ”

* The hon. Mr. N. E. MARJORIBANKS :—“ I understood from his speech that these lands were given to the depressed classes for cultivation. How a pond which is used for collecting water, can be assigned for cultivation, if it is in a condition fit to store water, I cannot understand. It is possible that the land was once a pond but it has been filled up and is no longer in use as a reservoir ; such a piece of land might possibly have been given. However, it is not the intention of the Government that lands which are wanted for communal purposes should be given to the depressed classes. It is impossible to generalize in the matter. We can only hope that the villagers concerned will not be silent, if land which they find useful to have for common purposes is handed over to depressed classes, but that they will appeal against such transfers, and the Government then will be very glad to stop them as they occur.

“ As regards the cultivation of lands on sivayijama, I think, as far as I recollect, that we answered a question on the subject in which the Government ordered that if lands have been cultivated on sivayijama for a particular period of time, three years I think, they are not to be reserved or given to depressed classes unless the present sivayijamadar has had the option of taking the land on patta and has refused to do so. As regards the other instance, I do not see how a man holding a land for 20 years could possibly be deprived of this land in the manner suggested.”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ I move that the question be now put.”

* Mr. A. RANGANATHA MUDALIYAR :—“ May I request you, Sir, to take it up to-morrow ? ”

The motion for closure was put and carried.

The demand was then put and carried and the grant was made.

The House adjourned at 5 p.m. to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

[12th February 1926]

APPENDIX I

[Vide answer to question No. 1387 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th February 1926, page 397 supra.]

G.O. Mis. No. 904, L & M, dated 18th March 1925

In its resolution of the 7th December 1923 the Tuticorin Municipal Council resolved that the vacant land around the Goa Mission Church was not a public street and was not vested in the municipality and that the municipality was not entitled to levy licence fees for occupation of the land.

2. The Government have given their careful consideration to the circumstances which led to this resolution, the several minutes of dissent and other representations received and the report of the Collector on the subject. They are of opinion that it is not the function of the Municipal Council to settle the claims of Government and of a private institution in regard to the proprietary rights of any street and that in passing the resolution of the 7th December 1923 the Council acted in excess of the powers conferred on it by law. The Government accordingly cancel the resolution under sub-section (1) of section 36 of the Madras District Municipalities Act, 1920

3. The Government observe that after the Council declared the streets to be private it waived its right to collect licence fees but continued to sweep and light the streets and expend public money on them. This is however a matter to be considered by the Examiner of Local Fund Accounts in connexion with the question of surcharge.

(By order of the Government, Ministry of Local Self-Government)

P. L. MOORE,
Secretary to Government.

To the Chairman, Municipal Council, Tuticorin
 „ Collector of Tinnevely.
 „ Revenue Department.
 „ Examiner of Local Fund Accounts, Madras
 Copy to M.R. Ry Rao Bahadur Cruz Fernandez

APPENDIX II.

[Vide answer to question No. 1388 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 12th February 1926, page 398 supra.]

List of up-to-date Taluk Board members in the Kovilpathi Taluk Board.

Names of members.	Community.	Sub community.	Sub-sect
Moses Devasabaya Nadar Avargal ..	Indian Christian.	Protestant ..	Protestant.
B. Ramaswami Nayudu Garu	Hindu	Non-Brahman ..	Kavarai.
Arunasala Mooppanar Avargal	„	„	Senayar.
K. Andi Kudumban Avargal	„	„	Adi-Dravida (Palla).
Francis Xavier Avargal	Indian Christian.	Roman Catholic.	Roman Catholic.
Saiyid Mohideen Betcha Sahib Bahadur	Muhammadian ..	Hanafi	Saiyid.

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APPENDIX III.

[Vide answer to question No. 1416 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th February 1926, page 415 supra.]

G.O. No. 1711, Revenue, dated 4th November 1925.

The Government direct that the resurvey of Ponnani taluk, Malabar district, sanctioned in G.O. Mis No. 1845, Revenue, dated 20th December 1923, should be continued.

2. The Government await the report of the results of the test survey now carried out in the upland taluks of Kistna and the two Godavaries.

3 The following other proposals of the Board of Revenue are approved —

(i) that rough pattas should be issued on the basis of the land registers prepared by the Survey department and that in areas where resurveys are not necessary they should be issued on the basis of the revenue adangals and that this may be done experimentally in the taluks of Bhimavaram, Gudivada, Amalapuram, Ramachandrapuram, Kasaragod, Walluvanad and Ernad where special staff work has either not begun or has not made much progress ;

(ii) that rough patta objections should no longer be heard by Special Assistant Settlement Officers but may be heard and disposed of by Special Deputy Tahsildars ;

(iii) that the work of the special staff employed on revision of adangals in South Kanara and Malabar be stopped

(By order of the Governor in Council)

E W. LEIGH,
Second Secretary to Government

To the Board of Revenue, Land Revenue and Settlement

THE MADRAS LEGISLATIVE COUNCIL

Saturday, the 13th February 1926.

The House met at 11 o'clock, with Mr. President (the hon Mr. M. RUTHNASWAMY, M.A., Barrister-at-law) in the chair.

PRESENT

Ramaswami Ayyar, M.C.E., The hon Sir C. P.
 Marjoribanks, C.S.I., C.I.E., The hon Mr N. E.
 Usman Shih Bahadur, The hon Khan Bahadur Muhammad
 Moir, C.S.I., C.I.E., The hon Mr T. E.
 Raja of Panagal, The hon the
 Patil, Kt., The hon Rao Bahadur Sa. A. P.
 Sivasubramanian Pillai, Kt., The hon Diwan Bahadur Sir I. N.
 Abbas Ali Khan, Mr.
 Abdul Wahab Shih, Mr. M.
 Abdullah Ghatada Shih, Mr.
 Adirayana Chettyar, Mr. P.
 Anjaneyulu Mr. P.
 Appavu Chettyar Mr. D.
 Ari Gowder, Mr. H. B.
 Arudaswami Udavar, Mr. S.
 Arumuga Nadu, Mr. P. K. S. A.
 Biswanath Das Maheswari, Sriman
 Boag Mr. G. I.
 Chuluntain Nadar, Mr. A.
 Cruz Fernandez, Rao Bahadur
 Davis, Mr. J. A.
 Devendradu, Mr. N.
 Ettirajulu Nayudu, Diwan Bahadur P. C.
 Evans, C.S.I., Mr. I. B.
 Gangaraju, Mr. M.
 Ghouse Mian Sahib, Mr. Muhammad
 Gopal Menon Mr. C.
 Gopal Rao Sahib P. V.
 Gopilaswami Ayyangar, Rao Bahadur N.
 Guruswami, Mr. L. C.
 Haji Qasim Sahib Bahadur, Khan Bahadur
 Haji Abd al lah
 Hegde, Mr. J. Naganna
 Kesava Pillai, C.I.E., Diwan Bahadur P.
 Khadir Muhammad Ali Hyas Khan Sahib
 Bahadur.
 Khalifullah Sahib Bahadur, Khan Bahadur
 P.
 Koli Reddi, Mr. K.
 Krishnan Nayat, Diwan Bahadur M.
 Krishna Rao Pantulu, Rao Bahadur A. S.
 Kuppuswami Mr. J.
 MacDougall, Kt., Sir Alexander
 Madanagopal Nayudu, Mr. R.
 Madhava Raja, Mr. V.
 Madurai, Honorary Lieutenant
 Mallesappa, Mr. T.
 Marakkayar Sahib Bahadur, Khan Bahadur
 V. Hamid Sultan
 Marthandam Pillai, Mr. P. N.
 Maruthavanam Pillai, Mr. C.
 Moidu Sahib, Mr. T. M.

Muniswami Nayudu, Rao Bahadur B.
 Muttayya Mudaliyar, Mr. C.
 Muttayya Mudaliyar, Mr. S.
 Narasimhachari, Rao Bahadur T. M.
 Narasimha Raja, Rao Bahadur C. V. S.
 Narayan Nambudiripad, Rao Bahadur O. M.
 Narayanaswami Pillai Mr. T. V.
 Natesa Mudaliyar Rao Bahadur C.
 Noyce, C.S.I., C.I.E., I.C.S., Mr. F.
 Obalesappa, Mr. B.
 Pandurang Row, Mr. V.
 Pantulu Ayyar, Mr. V.
 Peddiraju, Mr. P.
 Ponnuswami Pillai, Mr. K. S.
 Prabhakaran Tampun, Mr. K.
 Radhelandra Billal Mr. K.
 Raja Rao Bahadur M. C.
 Raja of Ramnad
 Raju, Mr. P. T.
 Rajappa, Mr. P. S.
 Ramchandrar Reddi, Mr. B.
 Ramu, Rao Bahadur P.
 Ramalinga Chettyar, Rao Bahadur I. A.
 Ramalinga Reddi, Mr. C.
 Ramaswami Mudaliyar, Mr. A.
 Ramaswami Rao, G.
 Ranganatha Mudaliyar Mr. A.
 Sagarani, Mr. P.
 Saldanha Mr. J. A.
 Sami Venkatchalam Chettyar Mr.
 Sathya Reddi, Mr. K.
 Sarvarayudu, Mr. K.
 Sasibhushan Rath Mahesay Sriman
 Satyamurti, Mr. S.
 Sitarani Reddi, Mr. K.
 Satayya, Mr. M.
 Srinivasa Ayyangar, Mr. R.
 Srinivasan, Rao Sahib R.
 Subbairayan, Dr. P.
 Subramania Pillai, Mr. K. Chavadi.
 Suryanarayana Murthi Nayudu Diwan
 Bahadur K.
 Symons, Major General F. H.
 Tangavelu Pillai, Rao Sahib I. C.
 Thirukhala Chettyar, Rao Bahadur O.
 Uppi Sahib, Mr. K.
 Veerian, Mr. R.
 Venkatachala Padayachi, Mr. K.
 Venkatapati Razu, Mr. P. C.
 Venkataramana Ayyangar, Mr. C. V.
 Venkatarama Sastiyar, Mr. P. R.
 Venkataraj Nayudu, Kt., Rao Bahadur
 Sir K.
 Windle, Capt. E. G.
 Zamindar of Kallikot.

[13th February 1926]

I**QUESTIONS AND ANSWERS.**

[*Order made by the President of the Madras Legislative Council under Standing Order No. 15 on the 4th December 1921.*]

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpellator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question-time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.**Bench Courts.**

Trial of cases by Bench Courts in Trichinopoly district.

* 1421 Q.—Mr S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether cases of prosecutions launched by the Trichinopoly District Board for disobedience of orders were transferred during the year 1923-24 to the Bench Courts for trial; and

(b) if so whether the Government will be pleased to furnish statistics regarding the trial of such cases—their nature and result—for the years 1923-24; and the names of Magistrates forming the Bench?

A.—The Government have called for the information.

Civil Justice.

Memorial from the copyists of the Judicial Department, Calicut

* 1422 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Government have now received the memorial sent to them through the High Court by the copyists of the Judicial department, Calicut;

(b) whether the High Court have recommended to the Government that the appointment of copyists in the Judicial Department may be made pensionable; and

(c) whether the High Court have also recommended that these copyists may be paid Rs 35 per mensem during the period of vacation instead of Rs. 14-8-0, the amount which is now being paid to them?

A.—(a) Yes.

(b) & (c) The attention of the hon. Member is invited to the answer given to question No. 1417.

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Criminal Justice.

Use of the word 'Para' in issuing summons to one Murugan.

* 1423 Q.—Mr R. VEERIAN Will the hon the Law Member be pleased to state—

(a) why a summons addressed in a reproachful manner, viz., Para Peruman's son Murugan and Para Peruman's wife Kuppammal, dated 1st September 1925, to attend the Court of the Sub-Magistrate, Vaniyambadi, on the 9th September 1925 were issued contrary to G.O. No. 817. Law (General), dated the 25th March 1925;

(b) whether a copy of the Government Order has been furnished or sent to all the Government offices through the District Collectors; and

(c) if not, why not?

A.—(a) The Government have no information but have called for a report.

(b) & (c) The order was communicated by Government to Heads of Departments, Collectors and District Judges; in the ordinary course of business, these officers should have communicated the order to any of their subordinates whom it concerns

Mr R. VEERIAN — With reference to clause (a) it is going on for a very long time though I have brought specific instances to the notice of the Government. May I therefore know whether the Government will be pleased to take some effective steps in the matter to see that due regard is given to the Government Order passed by Government?

The hon. Sir C. P. RAMASWAMI AYYAR: "Sir, I am in a position to give further information as a result of the inquiries made by Government. The Government have now seen the original summons. It is not addressed in the manner complained of. The order has been communicated by Government to the Heads of Departments, Collectors and District Judges. It has been ascertained now that the Government Order has been communicated by the Collector of North Arcot to all his subordinates."

Mr. R. VEERIAN — "If I produce the original of the summons, may I know whether the Government will be pleased to take effective steps?"

The hon. Sir C. P. RAMASWAMI AYYAR — "Yes if it bears out the Member's contentions."

General.

Maruthuvakula community in Tinnevely district.

* 1424 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon the Law Member and the hon. the Home Member be pleased to state—

(a) whether it is a fact that the President and Vice-President of the Maruthuvakula Sangam, Madras, made a representation to the Collector of Tinnevely about the ill-treatment meted out to the members of the Maruthuvakula community by the Vellalas of Kulasekharapatnam in Tinnevely district; and

(b) whether Government propose to inquire into the matter?

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A.—(a) & (b) The Government received a petition of the nature referred to by the hon. Member. They have forwarded it for inquiry and report to the Collector of Tinnevely.

Irrigation.

Employment of coolies for the Mettur project.

* 1125 Q.—MR R VEERIAN : Will the hon. the Law Member be pleased to state—

- (a) how many coolies are likely to be employed in the Mettur project ;
- (b) how many have already been employed ;
- (c) whether any Labour department is going to be established to take charge of these coolies ;
- (d) how many depressed class coolies have already been appointed ;
- (e) whether monthly salaries or daily wages are paid to the coolies ;
- (f) what salaries or wages are paid to men, and women coolies and adults ;
- (g) whether housing, school or other accommodations or facilities have already been made for the labourers ;
- (h) by whom the labourers are employed at present ; and
- (i) to whom the labourers will have to apply for entertaining them ?

A.—The Public Works Department have not yet begun to employ coolies to any considerable extent, and the Government do not think that any useful purpose would be served by referring the details of the hon. Member's question to the Chief Engineer yet. The Government are considering how far they can make use of machinery in preference to manual labour ; and also where it will be best from the point of view of health and other considerations to locate the coolie camp. If the hon. Member will repeat his question next year further information will be available.

Marine.

Stocking of firewood by the riverside on the bunder of the port of Mangalore

* 1126 Q.—MR J. A. SALDANHA : Will the hon. the Law Member be pleased to state—

- (a) whether the practice of stocking firewood by the riverside on the bunder or landing place of the port of Mangalore has recommenced in this season ;
- (b) if so, what the area of the stocking is ;
- (c) what income is derived from the stocking ;
- (d) what the number of the dealers in the firewood is and who are licensed to store firewood on the spots ; and
- (e) whether there is no other place at the bunder for stocking firewood ?

A.—(a) The practice of stocking firewood on the bunder ceased on the 22nd December 1925.

(b) to (e) The Government have no information.

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Mr. J. A. SALDANHA :—“ With reference to the answer given here the question was whether the stocking of firewood, etc., and the answer is that the practice ceased. What I want to know is when the stocking commenced and why is this stocking done again and again in spite of the fact that the Collector holds his office a few yards near by. I have to complain of this again and again. This is the third time, I think, in this Council that I want to know when this commenced and why it is repeated.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I do not know when it commenced. But presumably as the result of the agitation commenced by Mr. Saldanha the practice has been stopped.”

Police.

Selection of sub-inspectors of police from the depressed classes.

* 1127 Q.—Mr. R. VEERIAN Will the hon. the Law Member be pleased to state—

(a) how many members belonging to the depressed or Adi-Dravida community applied in each district for the selection of sub-inspectors of police that took place within the past few months or appeared before the respective district superintendents of police, and how many such applicants were selected and sent to the Deputy Inspector-General for his final approval ;

(b) whether the Inspector-General of Police, Madras, makes the appointments on the final selection of the Deputy Inspector-General or whether the Government make the appointments on the recommendations of the Inspector-General of Police ; and

(c) whether the Government are aware that at least one Adi-Dravida candidate in Tinnevely, Vellore and Saidapet appeared for selection before the respective District Superintendents ?

A.—(a) A statement ^a is laid on the table.

(b) The Deputy Inspector-General of Police makes the appointments.

(c) Yes.

Mr. R. VEERIAN :—“ With reference to clause (a) I find from the statement given by the Government that 22 Adi-Dravida members had applied for the selection of sub-inspectors and 21 did appear before the Superintendents of Police and 9 were selected. May I know whether selection means that they were actually appointed in service ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Presumably. I can't say whether they took charge or not.”

Mr. R. VEERIAN :—“ May I know whether they are undergoing training ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Notice, Sir.”

Mr. A. CHIDAMBARA NADAR :—“ May I know the total number of sub-inspectors taken last year ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Notice.”

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Mr. R. VEERIAN.—“How many of them belong to the Christian community and how many to the Hindu community?”

The hon. Sir C. P. RAMASWAMI AYYAR :—“That is an inquiry which Government will initiate when called upon to do so. But the question that came to Government was the depressed Adi-Dravida community.”

Mr. R. VEERIAN :—“I am only asking among the depressed classes themselves as to how many of them did embrace the Hindu religion and how many of them did embrace the Christian community.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“So far as that aspect of it is concerned if an answer is wanted, the materials will be collected.”

Mr. A. CHIDAMBARA NADAR :—“May I know if any Nadar was selected?”

The hon. Sir C. P. RAMASWAMI AYYAR :—“It hardly arises.”

Dismissal of Boda Subbanna, an Adi-Andhra ex-constable in Godavari district.

* 1428 Q.—Mr. R. VEERIAN: With reference to question No. 548 regarding the removal from service of an Adi-Andhra constable in Godavari district answered at the meeting dated 28th October 1925, will the hon. the Law Member be pleased to state how many years service the Adi-Andhra ex-constable Boda Subbanna, No. 1774 of the Godavari district, had put in before he was removed from the service as a deserter?

A.—Ten years, 11 months and 12 days.

Mr. R. VEERIAN :—“May I know whether any gratuity was paid to this constable as he has rendered service for 10 years, 11 months and 4 days?”

The hon. Sir C. P. RAMASWAMI AYYAR :—“In this case, Sir, what happened was this. This person applied for casual leave just before Sri Rama Navami festival when his services were required. Leave was refused not only in his case but in the case of other constables in the district. He then presented an application for three months leave. He was informed that the leave had been refused and if he failed to return to duty within twenty-one days he would be struck off as a deserter. He did not report himself within that time and was therefore struck off as a deserter.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“May I know whether reasons were given in the leave application?”

The hon. Sir C. P. RAMASWAMI AYYAR :—“None.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“May I know whether the notice was served on him before the expiry of 21 days?”

The hon. Sir C. P. RAMASWAMI AYYAR :—“I shall ascertain.”

Mr. R. VEERIAN :—“May I know whether, in view of the fact that Government themselves have accepted his services for 10 years, 11 months and 4 days, he was given any gratuity?”

The hon. the PRESIDENT :—“In spite of his desertion?”

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Mr. R. VEERIAN :—" I wanted to know whether any compensation could not be given."

The hon. the PRESIDENT :—" For a man who deserts the service ? "

The hon. Sir C. P. RAMASWAMI AYYAR :—" If a person is dismissed on the ground that he is deserting service, the question of gratuity does not generally enter into the question."

Agency.

The Deo brothers in the Agency.

* 1429 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Member for Revenue be pleased to state—

(a) whether Sunder Narayan Deo and Krishnachandra Deo of Kalyansingapur (Jeypore) submitted a petition to the Agent to the Governor, Vizagapatam, that their mother be allowed to proceed to Singapore to fetch some property belonging to them ;

(b) whether permission was refused ; and

(c) whether the Agent to the Governor made officially a favourable endorsement of the terms offered by the Maharaja of Jeypore to the Deo brothers in settlement of the dispute between them ?

A.—(a) Sunder Narayan Deo made a request to that effect.

(b) Yes.

(c) The Government were informed by Mr. Rutherford confidentially of the terms offered by the Maharaja of Jeypore as a matter of grace to the Deo brothers. Mr. Rutherford did not officially endorse the terms favourably or otherwise, as the Government are not concerned in the relations between the Maharaja of Jeypore and the Deos except in so far as they may affect the public peace in the Agency.

Sriman SASIBHUSHAN RATH Mahasayo :—" In view of the fact that the mother of the Deo brothers is not a prisoner under the Agency Regulation, may I know why permission was refused to her to go to Kalyanasingapur ? "

The hon. Mr. N. E. MARJORIBANKS :—" I understand that ample opportunity was given to the family to take all the things before they left and the Agent regarded this request as a mere excuse to get back to the area with the object of causing trouble there."

Sriman SASIBHUSHAN RATH Mahasayo :—" My question remains unanswered. I can understand that Deo brothers themselves are prohibited from going to their place. But why is it that the mother is not permitted to go to the place to fetch her things ? In view of the fact that she is not a State prisoner as the sons are, may I know why permission was refused ? "

The hon. Mr. N. E. MARJORIBANKS :—" I have stated that, Sir."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Is it not a fact that the mother was not a prisoner under the Regulations ? "

The hon. Mr. N. E. MARJORIBANKS :—" I want notice of that, Sir" "

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Sriman SASIBHUSHAN RATH Mahasayo :—"I want to know whether restrictions have been placed on the movements of the mother. Has anything been reported against her to justify the restriction of freedom of movement?"

The hon. Mr. N. E. MARJORIBANKS :—"I do not know anything except this restriction."

Sriman SASIBHUSHAN RATH Mahasayo :—"Did the Deo brothers make a request that she may be allowed to go under police escort and brought back under police escort?"

Rao Bahadur C. V. S. NARASIMHA RAJU :—"With reference to the answer to clause (c), may I know who has initiated the negotiations between the Maharaja of Jeypore and the Deo brothers?"

The hon. Mr. N. E. MARJORIBANKS : "I do not understand the question, Sir."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"The answer says that Government were informed by Rutherford confidentially of the terms offered by the Maharaja of Jeypore. I wish to know who has taken the initiative to have the terms offered by the Maharaja transmitted? Is it on the initiative of the Maharaja alone or is it that Mr. Rutherford was responsible for bringing about the offer of terms?"

The hon. Mr. N. E. MARJORIBANKS :—"Presumably, Sir, the offer emanated from the Maharaja as was stated."

Sriman SASIBHUSHAN RATH Mahasayo :—"Government say that they are not concerned in the relations between the Maharaja of Jeypore and the Deos. But may I know whether initiative was not taken by the Maharaja of Jeypore in asking Government to treat these people as State prisoners and bring them under Agency Regulation?"

The hon. Mr. N. E. MARJORIBANKS :—"Government certainly received no such request from the Maharaja of Jeypore."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"With reference to the latter part of the answer, may I know, Sir, whether the terms were accepted by the Deo brothers or not?"

The hon. Mr. N. E. MARJORIBANKS :—"I believe they did not accept them, Sir."

11-15 a.m. Mr. C. RAMALINGA REDDI :—"Did the Government hold any enquiry as to who was the guilty party, etc., before deporting the Deo brothers?"

The hon. Mr. N. E. MARJORIBANKS :—"The Agent to the Governor . . ."

The hon. the PRESIDENT :—"The question is about the mother of the Deo brothers."

Sriman SASIBHUSHAN RATH Mahasayo :—"May I know whether there has been any breach of the peace on account of the Deo brothers which necessitated the bringing of them under the Agency Act?"

The hon. the PRESIDENT :—"The question does not arise. The question refers only to the permission which was refused to the mother of the Deo brothers."

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Sriman SASIBHUSHAN RATH Mahasayo :—" I submit, Sir, it arises out of the answer ' in so far as they may affect the public peace in the Agency '."

The hon. the PRESIDENT :—" That also is in regard to the mother's going to that place and not in regard to the Deo brothers."

Government Houses.

Government Houses at Guindy and Madras.

* 1430 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue, the hon. the Home Member, the hon. the Member for Finance and the hon. the Minister for Education be pleased to state—

(a) of what buildings and outhouses with their several areas, the Government House at Guindy and the Government House at Madras consist ;

(b) where the several successive Military Secretaries to His Excellency the Governor and their families resided during the last 100 years ;

(c) why two Government Houses are required : one at Guindy and the other at Madras ;

(d) what is the cost of maintaining the Guindy Government House ; and

(e) how its grounds and compounds are used and by whom, at what cost and with what profit to Government ?

A —(a) A list^a of buildings and outhouses at the Government Houses, Madras and Guindy, with their several areas is annexed.

(b) The information, if available at all, could not be collected without an amount of research that the Government are not prepared to undertake.

(c) For His Excellency's use

(d) Figures referring to the maintenance of the three Government Houses are included in the published budget estimates, but separate accounts are not kept in respect of the expenditure on the maintenance of each house.

(e) Of the buildings referred to in the annexed statement, items marked X have been leased to the Madras Race Club for one year from the 1st April 1925 at a rent of Rs. 9,500 a year. The remaining buildings shown in the statement are used for the purposes shown in the statement.

Mr. J. A. SALDANHA :—" In the statement furnished in answer to this question, item 47, we find mentioned the Military Secretary's bungalow consisting of two floors, including verandah. Now, in spite of this fact, the other day Government asked us for a supplementary grant for constructing quarters for the Military Secretary in Madras. I want to know why a second bungalow for the use of the Military Secretary was required when there was one already at Guindy ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" His Excellency lives generally in the Madras Government House and I think he spends his week-ends at Guindy. Therefore it was felt necessary to have a separate bungalow for the Military Secretary here."

^a Printed as Appendix II on pages 560-564 infra.

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Mr. J. A. SALDANHA :—" May I enquire what is the time taken for a drive by motor-car from Madras to Guindy ? It should be remembered that in the Government House there are very fast-going motor-cars."

The hon. the PRESIDENT :—" That is not a matter within the cognizance of the hon. the Member "

Mr. J. A. SALDANHA :—" I only wanted to know the time taken for a ride from Madras to Guindy."

The hon. the PRESIDENT :—" That is a subject with which the hon. the Home Member has nothing to do "

Mr. A. RANGANATHA MUDALIYAR :—" May I know the distance between the two places ? "

The hon. the PRESIDENT :—" Not even that "

Mr. S. SATYAMURTI :—" With reference to the answer to clause (c) of this question, may I ask for more enlightenment as to why two Government Houses are required, or including the one at Ootacamund, why three Government Houses are kept up for the use of His Excellency ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" This has been the practice for so many years."

Mr. S. SATYAMURTI :—" After the receipt of the question, was not the question examined by the hon. the Home Member, as to why two Government Houses within almost a stone's throw of each other are maintained ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I do not think it necessary for me to examine the question."

Mr. S. SATYAMURTI :—" May I ask the hon. the Home Member whether he is aware that some years ago there was a proposal to convert the Government House at Mount Road for various public purposes, and why the matter was not examined by him ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I am not aware of any such proposal."

Mr. S. SATYAMURTI :—" With reference to clause (e), may I ask the hon. the Home Member whether the Government have examined the propriety of letting a part of the residence of the Head of the Madras Presidency to the Race Club, and why they want to continue to lease it for a paltry sum of Rs. 9,500 a year ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" For utilitarian reasons, Sir, instead of leaving the buildings unoccupied, it is being allowed to be used by the Race Club."

Mr. S. SATYAMURTI :—" May I take it therefore that when His Excellency goes down to Guindy during the week-end, the Race Club people will get out of the Government House ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" They are not occupying the main building at all."

Mr. S. SATYAMURTI :—" Is it considered consistent with the dignity of the Head of a Province that part of his residence should be used by the members of the Race Club ? "

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The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“ It is not part of the residence of His Excellency It is far away from the main building.”

Mr. S. SATYAMURTI —“ May I take it therefore that the Government will hereafter let portions of the Government House either in Mount Road or in Guindy which are not very near the rooms in which His Excellency actually lives, provided people offer to pay Rs 10,000 a year? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur .—“ It is a matter for His Excellency.”

Mr. S. SATYAMURTI —“ May I ask therefore that this letting to the Madras Race Club was decided on by His Excellency and not by the Government of Madras? (After a pause) May I have an answer to my question? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“ Of course, by the Government of Madras.”

Mr. S. SATYAMURTI —“ May I take it that the initiative proceeded from the Governor to the Government of Madras saying ‘ would you kindly allow my residence to be let to the Race Club ’? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“ No such thing has taken place.”

Mr. S. SATYAMURTI —“ Then who took the initiative? ”

The hon. the PRESIDENT :—“ In regard to letting out the Guindy House to the Race Club? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“ The Race Club took the initiative.” (Laughter.)

Mr. S. SATYAMURTI :—“ I wonder if my hon. Friend realizes the implications of the matter. There are two parties to an agreement. I am asking who took the initiative and who agreed to the course proposed.”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“ I suppose Government ”

Mr. S. SATYAMURTI :—“ Was it the Government who took the initiative and then told the Governor, ‘ we have made up our minds to let these rooms. Would your Excellency be pleased to say if you agree ’? ”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ It is not on record. I do not know what the procedure was.”

Mr. S. SATYAMURTI —“ It seems to me really hopeless for hon. Members to put questions if every time, and once in three months, or one year or so when there is a change in the Cabinet, a Member gets up and says ‘ I was not here ’. The Government is a corporate body.”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“ There is nothing on record. I cannot answer.”

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The hon. the PRESIDENT.—“But surely the question of letting part of the Guindy House is not part of the main question. Therefore the hon. Member might ask for notice of such a question.”

Mr. S. SATYAMURTI.—“With regard to clause (e), you will find the question is ‘How its grounds and compounds are used and by whom, at what cost and with what profit to Government’. You will notice in the answer, the Government have volunteered the information and have stated that the items marked × have been leased to the Madras Race Club for one year, etc. My hon. Friend below the gangway asks me ‘where are the items marked ×?’ They are not there. A clerk handed to my hon. Friend, across the table, a type-written sheet of paper in which the buildings are marked ×. Arising from that answer, the question is, between the Governor and the Government of Madras, who took the initiative in agreeing to let these buildings?”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—“I want notice of the question, Sir.”

Mr. J. A. SALDANHA:—“I understood the hon. the Home Member to say that the building at Guindy is generally vacant. May I ask him why it is kept vacant and why it cannot be occupied?”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“It is a matter for His Excellency, Sir.”

Mr. SAMI VENKATACHALAM CHETTIYAR —“Do the Government propose to renew the lease, Sir?”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“As far as I know, there are no proposals at present.”

Mr SAMI VENKATACHALAM CHETTIYAR —“My question is whether the Government propose to renew the lease and not whether there are proposals?”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“I want notice of the question.”

Mr. S. SATYAMURTI —“May I know whether he will take the sense of this House, before he agrees to letting out the Government House at Guindy to the Madras Race Club for any further period?”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur —“I will remember the discussion that has taken place to-day.”

Government Servants' Conduct Rules.

Public servants and membership of Hindu Maha Sabha.

* 1431 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

(a) whether Government have issued any orders to their servants not to join the Hindu Maha Sabha, and

(b) if so, the reasons for this order?

A.—The hon. Member is referred to the answer to question No. 1218.

Mr. S. SATYAMURTI.—“The answer given the other day was to this effect that the Government have issued no general orders prohibiting their servants from joining the Hindu Maha Sabha, but that there are certain directions

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given to their officers which are, however, confidential. May I ask the hon. the Revenue Member and the hon. the Law Member whether these instructions are of a kind permitting Government servants joining the Maha Sabha under certain conditions, or whether they are merely prohibitive in their general character?"

The hon. Mr. N. E. MARJORIBANKS :—"They are generally prohibitive in their character."

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I ask whether this action was taken at any suggestion made by the Government of India or by other Provincial Governments?"

The hon. Mr. N. E. MARJORIBANKS :—"I should be very glad to answer that question, but the practice has been not to answer such questions without the permission of the Government of India"

Mr. C. V. VENKATARAMANA AYYANGAR :—"If any Provincial Government made that suggestion, would that also be confidential?"

Mr. S. SATYAMURTI :—"In view of the answer of the hon. the Revenue Member to my question for which I am obliged, may I ask the reasons why these generally prohibitive orders against Government servants joining the Hindu Maha Sabha have been issued?"

The hon. Mr. N. E. MARJORIBANKS :—"The general grounds on which such instructions are issued are that membership of those Sabhas would be detrimental to the usefulness of Government servants"

Mr. S. SATYAMURTI :—"If the Government have a general policy towards all communal organizations, in order to illustrate my point, may I ask the Government whether they contemplate issuing or have issued instructions prohibiting their servants from joining the Muslim League or the Indian Christian Association all of which are equally communal organizations? We have also got Anglo-Indian Associations, European Associations, etc. May I ask the hon. the Revenue Member to be good enough to say whether the Government have any general policy, or whether these instructions have been issued with reference only to the Hindu Maha Sabha?"

The hon. Mr. N. E. MARJORIBANKS :—"Certain instructions are issued which are common to all communities. The Government have not laid down general rules except such as are embodied in the Government Servants' Conduct Rules."

Sriman SASIBHUSHAN RATH Mahasayo :—"Have these instructions prohibiting Government servants from joining the Hindu Maha Sabha been issued to individual Government servants or to the Collectors generally?"

The hon. Mr. N. E. MARJORIBANKS :—"In the case of such general instructions the Government issue orders to the heads of departments who are expected to communicate them to their subordinates"

Sriman SASIBHUSHAN RATH Mahasayo :—"May I know whether there are any other institutions or Sabhas from joining which Government servants have been similarly prohibited?"

The hon. Mr. N. E. MARJORIBANKS :—"Oh, yes; there are other cases."

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Mr. MUHAMMAD GHOUSE MIAN SAHIB :—" Does the prohibition extend to Muhammadan Associations like the Tanzeen Association ? "

The hon. Mr. N. E. MARJORIBANKS :—" I do not propose to specify the names of such associations."

Mr. G. RAMESWARA RAO :—" Was it contemplated in the Government Servants' Conduct Rules generally ? "

The hon. Mr. N. E. MARJORIBANKS :—" I must ask the hon. Member to gather it from a study of the rules."

Mr. G. RAMESWARA RAO :—" I can study it, but unfortunately it is not in my possession. The Government Order is confidential."

Land Revenue.

Action taken by the Government on the adjournment motion regarding Tanjore district

* 1432 Q.—Mr. V. PANTULU AYYAR : Will the hon. the Member for Revenue be pleased to state whether any action was taken by the Government with regard to Tanjore district on the lines chalked out by the Mover of the adjournment motion, carried in the Council during February last, and if so, to what extent the recommendations made by the Mover were given effect to ?

A—The hon. Member is referred to the answers given to question No. 453 asked at the meeting of August last and to question No. 893 asked at the meeting of November last.

11-30
a.m.

The RAJA OF RAMNAD :—" Will the hon. the Revenue Member be pleased to state why it took so long to answer such a simple question as this. The answer given does not seem really to require such a long time."

The hon. Mr. N. E. MARJORIBANKS :—" I quite agree with the latter part of the question. The question was answered the day when it was received but the reason why it was delayed so much in reaching me is under enquiry."

Damages to crops due to heavy rains in South Arcot district.

* 1432-A. Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the heavy rains in the district of South Arcot in the last week of January 1926 and consequent destruction of paddy ready for harvest on a large scale and also almost the total failure of seasonal pulse ;

(b) if exact information is not available whether the Government will be pleased to call for the same and take necessary action on the same ;

(c) whether Government are aware that remission applications have already been made in places affected by the rains ;

(d) what action Government have taken in the matter ;

(e) what relief the Government propose to give the suffering land-holders ;

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(f) whether Government will be pleased to make a statement as to what action they have taken after the recent rains and what they propose to do hereafter; and

(g) whether they have received any report on the situation from the District Collector of South Arcot, and if so, whether it will be placed on the table?

4.—(a) A statement^a of the rainfall for the week ending 30th January 1926 at the rain-recording stations in South Arcot district is appended.

The weekly season report states that the harvest of paddy in parts of Ginjee and Chidambaram taluks has been slightly affected by heavy rains. It does not mention any damage to pulses

(b) With reference to letters which have appeared in newspapers the Government have received a brief report from the Collector which report is laid on the table.

(c) No.

(e) The remission rules in the Board's Standing Orders apply.

(d), (f) & (g) Please see answer to clause (b). The Government are asking for a fuller and more detailed report.

MR. R. SRINIVASA AYYANGAR :—" In view of the Collector's report which says 'I understand from the Executive Engineer that he had to allow the water in the Viranam tank to surplus and this caused the submersion of about 500 acres of paddy lands in Chidambaram taluk which were ready for harvest', may I suggest to the hon. the Revenue Member to issue definite instructions to postpone the collection of kist?"

The hon. the PRESIDENT :—" It is a suggestion for action."

MR. R. SRINIVASA AYYANGAR :—" I request the hon. Member to throw some light on the matter."

The hon. the PRESIDENT :—" The question must first be admitted."

MR. R. SRINIVASA AYYANGAR :—" I am not suggesting a course of action. I am asking whether it is intended by the Government to stop collecting kist. I am asking whether the Government intend to take action in the matter."

The hon. the PRESIDENT :—" The hon. Member has used the word 'suggest', and that is by itself self-condemnatory."

MR. R. SRINIVASA AYYANGAR :—" With reference to the answer given in clauses (c) and (d), may I ask the hon. the Revenue Member whether he will be pleased to place the papers on the table?"

The hon. MR. N. E. MARJORIBANKS :—" That would be considered after the report is received."

Damages to crops due to heavy rains in South Kanara.

* 1432-B Q.—MR. J. NAGANNA HEGDE: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the recent heavy rains in the district of South Kanara and consequent destruction of the first paddy crop on a large scale; and almost a poor yield of the second crop;

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(b) if exact information is not available, whether the Government will be pleased to call for the same ;

(c) whether the Government have received any report on the situation from the District Collector of South Kanara and if so, whether it will be placed on the table ; and

(d) if the answer to clause (a) is in the affirmative, whether the Government have considered the question of granting remission to the suffering landholders of the district ?

A.—(a) & (d) The Government are not aware of any recent heavy rains in the District of South Kanara. A statement^a showing the rainfall at the various rain-recording stations in the district for the last four weeks is appended.

Recent season reports for the district show that the second-crop harvest is proceeding and that the outturn is fair to normal. No reference is made to any damage by rain.

It is not understood how the first-crop paddy could be affected by recent rain.

(b) On the information before them the Government cannot find any reason for calling for a special report

(c) No such report has been received.

Mr. J. NAGANNA HEGDE :—“ With reference to the answer given to this question, may I point out to the Government that the first crop was raised in June and July and they were destroyed owing to heavy rainfalls ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ Since this question was put in the notice paper as being an urgent matter regarding the destruction of crops by recent rainfall, we inquired whether it was so, and our information shows that there has been no such rainfall and the recent rainfall could not have had any effect on the first crop. If the hon. Member refers to the last monsoon, of course we are aware that the monsoon rains were heavy in South Kanara district.”

Mr. A. RANGANATHA MUDALIYAR :—“ If it is not the recent rain I wish to know whether it is the rain which had fallen last year between June and October that caused damage to the crops ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ The monsoon is always heavy in South Kanara.”

Mr. A. RANGANATHA MUDALIYAR :—“ But the rains of the last year's monsoon resulted in the heavy loss of crops.”

The hon. Mr. N. E. MARJORIBANKS :—“ Not that I am aware of.”

Mr. P. ANJANEYULU :—“ In answer to clauses (b) and (c), it is said ‘ on the information before them the Government cannot find any reason for calling for a special report ; no such report has been received ’. Though there is no reason for a special report, in view of the fact that my hon. Friend, Mr. Nagananna Hegde, suggests that there were heavy rains in South Kanara and as the Government say that they can find no reason for calling for a special report, will they be pleased to call for an ordinary report ? ”

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The hon. Mr. N. E. MARJORIBANKS :—" I really do not see any reason for calling for a report. As to whether anything serious happened in the last monsoon, it cannot be so as we would have heard of it long ago."

Mr. A. RANGANATHA MUDALIYAR :—" With reference to the answers given in clauses (a) and (d), may I ask what is meant by 'fair to normal'? I take it that annas 12 represents normal. May I know what is the minimum outturn which can be termed as fair outturn?"

The hon. Mr. N. E. MARJORIBANKS :—" I do not suppose that the words used there are with reference to any arithmetical percentage."

Mr. A. RANGANATHA MUDALIYAR :—" Even 4-anna crop is considered a fair outturn?"

The hon. N. E. MARJORIBANKS :—" It depends upon the locality."

Mr. A. RANGANATHA MUDALIYAR :—" I wish to know what the Government think."

Srirangam Temple.

Repairs and allowances to the Srirangam temple.

* 1133 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether he has received the report of the Committee appointed to report on the repairs to be done to the Srirangam temple, and if so, when and to what effect;

(b) whether the Government have any intention of effecting any repairs to the temple, and if so, when, and to what extent;

(c) whether the Government have deputed an engineer to report as to what repairs are necessary, and if so, whether he has sent any report and to what effect;

(d) whether the Government have any intention of restricting the repairs to places which are of archæological value and if so on what grounds that intention is based;

(e) what annual allowance the Government are making to the Srirangam temple, and whether that allowance has been a fixed one for a long time, and if so, for how many years;

(f) whether the allowance made by the Government has any connexion to the income derived by the Government from certain villages and if so, whether there has been any increase in the income of the Government during the last three decades, and if so, whether there has been a corresponding increase in the allowances given to the temple; and

(g) whether it is a fact that the Revenue authorities have informed the trustees of some temples in Trichinopoly district that the allowances usually paid by the Government to those temples would be reduced for some years as the income of the Government from lands earmarked for those temples has been reduced owing to recent floods, and if so, on what authority such orders have been issued?

A.—(a) The report has not yet been received.

(b) The hon. Member is referred to answer to clause (c) of question No. 894 asked at the meeting of the Legislative Council held on 2nd November 1925.

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- (c) No ; but at the instance of the committee the Public Works Department have been asked to report for the committee's information what repairs are necessary for the safety of the buildings.
- (d) Please see the answer to clause (b) The conservation of buildings as protected monuments is a matter dealt with by the Archæological department which is a central, not a provincial department. The Government however understand that the trustees have declined to enter into an agreement to have the temple declared a 'protected monument'.
- (e) Rs 35,000. This was fixed in fasli 1222 (1812-13).
- (f) No.
- (g) The Government are not aware that the Revenue authorities have taken such action

Mr C. V. VENKATARAMANA AYYANGAR.—“ With reference to the answer given to this question we were told that this report was being drafted three years ago May I know in what state it is ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I do not see how that question arises I have no objection to tell the hon. Member that the Engineering, the Sanitary and the Archæological departments were asked by the Committee to report upon these buildings and so far none of the departments has yet replied.”

Survey.

Publication of revised rules under the Survey and Boundaries Act.

* 1434 Q.—Mr. A RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state if, and when, the revised rules under the Survey and Boundaries Act will be published ?

A.—The revised rules under the Madras Survey and Boundaries Act have been published at pages 2402-2405 of Part I of the *Fort St. George Gazette*, dated 22nd December 1925. Some amendments to the revised rules have been received and they are under consideration of Government.

Mr. A. RANGANATHA MUDALIYAR :—“ May I know if the rules as published last year are in operation now ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I believe so, Sir.”

Mr. G. RAMESWARA RAO :—“ May I know whether the rules provide that the stones planted at the cost of the ryots are liable to be removed under the new rules ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I must have notice of the question.”

Resurvey in South Kanara and Malabar.

* 1435 Q.—Mr. J. A SALDANHA . Will the hon. the Member for Revenue be pleased to state—

(a) in how many and which of the taluks of South Kanara and Malabar the revision of the land survey has been completed or partly done or begun ;

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- (b) where the central survey office is located for each district ;
 (c) who the officers are and what the establishment employed for survey purposes in South Kanara and Malabar is and what its monthly average cost is ;
 (d) whether resettlement of the revenue in the two districts has commenced and what the establishment with its cost employed for the purpose is ; and
 (e) if so, the rates of enhancement of the revenue sanctioned or contemplated by the Government in each of the districts ?

A.—(a) South Kanara district, Kasaragod taluk—Coast villages in progress
 Malabar district, Wynaad taluk—completed.
 Do. Walluvanad taluk—Partly done.
 Do. Ernad taluk—In progress.
 Do Ponnani taluk—Just begun.

(b) Cannanore.

(c) Messrs. L. G. B. Firth and P. Narayana Menon in Malabar and Messrs. M. N. Ramaswami Ayyar and S. Deivagnana Nadar in South Kanara.

The average establishment employed in Malabar and South Kanara and the average monthly cost are given below.—

			Malabar	South Kanara.
Sub-Assistants	..	...	3	3
Head Surveyors	...	...	4	4
Deputy Surveyors	...	..	60	52
Field Surveyors	...	..	151	151
Draughtsmen	..	...	45	17

Cost Rs. ... 11,073 8,779

- (d) The resettlement of the two districts except the Wynaad taluk of the Malabar district is due only in the years 1930 to 1935 : but branch offices have been opened in those districts for the preliminary collection of statistics. Particulars of the exact establishment employed and its cost have been called for from the Board of Revenue.
 (e) No rates of enhancement have been sanctioned nor until the settlement officer prepares his report can any predictions be made on the subject.

Diwan Bahadur M. KRISHNAN NAYAR :—“ May I know when the revision of the land survey is likely to be over in the taluks of Walluvanad, Ernad and Ponnani in Malabar ? Will the hon. the Revenue Member be pleased to enlighten us on the subject ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I am afraid I cannot say it from memory. I must ask for notice.”

Diwan Bahadur M. KRISHNAN NAYAR :—“ Will the hon. Member oblige me by giving this information, namely, whether the work in connexion with the resettlement of Wynaad taluk in Malabar is likely to be over ? The

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answer given in clause (d) is, 'the resettlement of the two districts except the Wynaad taluk of the Malabar district is due only in the years 1930 to 1935.' The information that I want is when the work in connexion with the resettlement of the Wynaad taluk is likely to be over."

The hon. Mr. N. E. MARJORIBANKS :—"My impression is that the report has been made. But I will enquire and let the hon. Member know more definitely."

Mr. J. A. SALDANHA :—"I heard from a good authority that Survey officers are prowling about in Mangalore. I want to know whether."

The hon. the PRESIDENT :—"Will the hon. Member use much more delicate language? 'Prowling' is a word which we use in connexion with animals."

The hon. Mr. N. E. MARJORIBANKS :—"The Government are carrying on certain experiments in connexion with the resurvey of certain taluks in Mangalore. The matter is one on which there is difference of opinion. The Government are not so far convinced that a resurvey of the whole district is necessary. An experimental survey has been ordered in one or two villages."

Mr. J. A. SALDANHA :—"If Government are going to make resurvey in Mangalore and Cannanore taluks, then they will locate a survey office in Mangalore."

The hon. Mr. N. E. MARJORIBANKS :—"I think, Sir, it will not be necessary to make resurvey of these taluks. But if it is found necessary, then an office will no doubt be located in Mangalore."

Village Establishments.

Pay of village menials in the village of Pillal

* 1436 Q.—Mr. R. VEERIAN Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the pay of talaiyari Kollandai and vettiyan Katharayan in the village of Pillal, Gudalur, South Arcot district, has been withheld for the past one year;

(b) whether it is a fact that the Revenue subordinates of that firka did not at all accept the charges framed by the village monigar against the menials; and

(c) why the pay of these menials has been withheld?

A—(a), (b) & (c) The Government have no information. As the hon. Member is aware, his letter on the same subject has been forwarded to the Collector of South Arcot for necessary action.

Jails.

Improvement of jail industries.

* 1437 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Home Member be pleased to state whether he will place on the table of the House a copy of the report of the Committee constituted in G.O. No. 1934, Law (General), dated the 30th June 1924, for improving the jail industries?

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A.—The order (G.O. No. 2157, dated 4th July 1925) is self-contained and sets out all the Committee's recommendations. The Government do not therefore consider it necessary to place the report on the table of the House.

Mr. A. RANGANATHA MUDALIYAR :—“ The Committee's report may contain suggestions as to how their recommendations may be carried out. I submit that their suggestions will be useful information to those who are interested in this matter. Will the Government be pleased to see that the report is placed on the table of the House ? ”

The hon. Khan Bahadur **MUHAMMAD USMAN SAHIB Bahadur** : “ I shall examine the question.”

Salt.

A Sub-Inspector and an Assistant Inspector of Salt, Ganjam district.

* 1438 **Q.**—**Mr. S. SATYAMURTI** : Will the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that Mr. MacLaughlin, Assistant Inspector of Salt, Gokulakuda in Ganjam district, assaulted a Muhammadan Sub-Inspector of Salt, Mr. Muhammad Mustafa, B.A. ;

(b) if so, what action was taken ;

(c) whether the Muhammadan Sub-Inspector applied to the higher authorities for sanction to file a criminal complaint against the Assistant Inspector ;

(d) why the permission was not granted ;

(e) whether both the Assistant Inspector and the Sub-Inspector have now been transferred from the Ganjam factory and the reasons therefor ; and

(f) whether the Government will be pleased to call for the papers and lay them on the table ?

A.—(a) to (d) A complaint was received by the Collector of Salt Revenue from the Sub-Inspector that he had been assaulted by Mr. MacLaughlin. The Collector held a personal enquiry into the matter at Ganjam and found that the allegations of the Sub-Inspector were largely false and that there was no sufficient reason to grant the Sub-Inspector's request to file a criminal complaint.

(e) Yes, as a disciplinary measure.

(f) The Government do not propose to place the papers on the table.

Sriman SASIBHUSHAN RATH Mahasayo :—“ With reference to the answer given to this question, I wish to know whether the Inspector of Salt, Ganjam Circle, has made any enquiries in the matter before the Collector went to make a personal enquiry ? ”

The hon. Mr. T. E. MOIR :—“ I do not know this question was not part of the original question.”

Sriman SASIBHUSHAN RATH Mahasayo :—“ I wish to know if the Collector of Salt went to Ganjam to hold an enquiry after the complaint was made by the Sub-Inspector, or whether the Assistant Inspector made a special request to the Collector of Salt to go there and have the matter enquired into in view of certain remarks made by the Inspector of Salt in the course of his enquiry.

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11-45 a.m. "I also wish to know why both the Sub-Inspector and the Assistant Inspector were transferred as a disciplinary measure. If the Sub-Inspector's allegations were found to be largely false, there was no necessity to transfer the Assistant Inspector from the place."

The hon. Mr. T. E. MOIR :—"The hon. Member's original question was 'what action was taken'. The answer is 'the Collector held a personal enquiry and the two officers were transferred'."

The hon. the PRESIDENT :—"The hon. Member's question is while the Government refused to give permission for a criminal complaint to be preferred, why did they take disciplinary action against the officials? The hon. Member wants to know why the Government did the one and not the other."

The hon. Mr. T. E. MOIR :—"There was no sufficient reason to grant the request for permission to file a criminal complaint."

Sriman SASIBHUSHAN RATH Mahasayo :—"May I know why the Assistant Inspector was transferred as a disciplinary measure?"

The hon. Mr. T. E. MOIR :—"It was justified by the circumstances of the case."

Mr. C. RAMALINGA REDDI :—"May I know whether there was an assault on Mr. Mustafa by the Assistant Inspector?"

The hon. Mr. T. E. MOIR :—"The enquiry showed that it was doubtful if an assault of any kind was made."

Mr. S. SATYAMURTI :—"In view of the wording of the answer, lines 4 and 5, to clauses (a) and (b) of my question that 'the Collector held a personal enquiry into the matter and found that the allegations were largely false,' may I know what is the modicum of truth in it?"

The hon. Mr. T. E. MOIR :—"I do not think that there was much modicum of truth."

Mr. S. SATYAMURTI :—"May I ask the hon. the Finance Member to say whether the answer means that while the evidence showed that a large part of the complaint was false, there was no evidence to prove whether the remaining part was false or true?"

The hon. Mr. T. E. MOIR :—"As I have already said, probably no part of the allegation was true."

Mr. S. SATYAMURTI :—"May I ask, if the Government were satisfied on the evidence that the allegations were only largely false, why the Government did not give permission to the Muhammadan Sub-Inspector to prosecute the other gentleman?"

The hon. Mr. T. E. MOIR :—"On inquiry the Government found no reason to grant permission."

Mr. S. SATYAMURTI :—"In view of the fact that the Government use the words 'largely false', either the Government found the complaint entirely false or they did not. May I ask the Government to say whether the word 'largely' is a surplusage?"

* The hon. Mr. T. E. MOIR :—"No, Sir."

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MR. SAMI VENKATACHALAM CHETTIYAR :—" May I ask whether the Inspector of Salt held an inquiry in the matter and found that there was an assault ? "

The hon. Mr. T. E. MOIR :—" The records before me contain information with reference to the question on the paper. If the hon. Member wishes information as to further particulars, I must ask him for notice."

MR. S. SATYAMURTI :—" With reference to the answer to clause (f), may I ask the Government the reasons why the Government do not propose to lay the papers on the table ? I do not think it is a confidential matter."

The hon. Mr. T. E. MOIR :—" For three reasons the Government do not propose to place the papers on the table. One is because it is not usual to place such papers on the table of the House. Secondly because they see no reason to do so and thirdly because we are no longer concerned with the matter. The jurisdiction has passed entirely to the Government of India from 1st January 1926. I might have referred the hon. Member to the Government of India. But as the hon. Member had asked for the information I did my best to get it."

SRI MAN SASIBHUSHAN RATH Mahasayo :—" The alleged assault seems to have taken place before the jurisdiction was transferred to the Central Board of Revenue. Therefore the question was asked."

The hon. the PRESIDENT :—" But this Government cease to have jurisdiction now."

MR. A. RANGANATHA MUDALIYAR :—" May I know what was the nature of the complaint, whether he was assaulted by the Assistant Inspector in his official capacity ? Was it, therefore, that the Sub-Inspector asked for permission to file a criminal complaint ? "

The hon. Mr. T. E. MOIR :—" I do not think I can give further details without notice."

The hon. the PRESIDENT :—" An assault is an assault, public or private."

MR. A. RANGANATHA MUDALIYAR :—" Is not any one in such circumstances entitled to file a complaint ? "

The hon. the PRESIDENT :—" The Government have already said that they see no reason to grant permission."

Local Boards and Municipal Councils.

Election to the Ramnad District Board from Sivakasi Taluk Board.

* 1439 Q.—MR. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the President, District Board, Ramnad, has not yet called upon the Sivakasi Taluk Board to elect its members to the Ramnad District Board ;

(b) if so, what are the reasons for his not having asked the President of the Sivakasi Taluk Board to do so ;

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(c) whether it is a fact that the temporary President of the Sivakasi Taluk Board had sent a notice for the ordinary as well as the special meetings on 25th May 1925 and adjourned the same on that very day, *suo motu*, by putting up a notice on the notice board a few hours before the hour fixed for the meetings;

(d) whether the temporary president refused to conduct the meeting although a majority of the members wanted it and whether the temporary president refused to give the minutes book for the majority to proceed with the meeting;

(e) whether the President of the District Board, Ramnad, has approved of the action of the temporary President, Sivakasi Taluk Board, and characterised the majority members' meeting as illegal; and

(f) whether any steps have been or are being taken by Government against the temporary President of the Sivakasi Taluk Board on account of the grave irregularities and illegalities shown by him in conducting the affairs of the board?

A--(a) & (b) The President, District Board, Ramnad, called upon the Sivakasi Taluk Board, by a telegram dated 18th May 1925, to elect members to the district board.

(c) The answer is in the affirmative

(d) The Government are informed that the temporary President, when questioned regarding his refusal to hold the meeting, stated that he had already announced his reasons for it. From a representation received from the members who conducted a special meeting on 25th May 1925, it would appear that the temporary President refused to hand over the minute book to them.

(e) The President of the district board refused to recognize the meeting held on 25th May 1925 as a valid one.

(f) The answer is in the negative.

Mr. R. SRINIVASA AYYANGAR :—“Leaving alone the special meeting held on the 25th May 1925, may I ask the Government to state whether the Sivakasi Taluk Board held any meeting for the election?”

The hon. the RAJA OF PANAGAL :—“I understand there was a meeting the next week.”

Mr. A. RANGANATHA MUDALIYAR :—“May I know for how long these vacancies will not be filled up.”

The hon. the RAJA OF PANAGAL :—“I suppose they must be vacant till the dispute is decided in a court of law.”

Composition of the Erode and Gopichettipalaiyam Taluk Boards.

* 1440 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state the names of the elected members of the Erode and Gopichettipalaiyam Taluk Boards, Coimbatore district, and the names of those nominated thereto by the President of the Coimbatore District Board?

A.—Two lists are laid on the table.^a

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Mr. R. VEERIAN :—“ May I know the reasons why four members belonging to the Kavandar community were nominated to the Taluk Board of Gopichettipalaiyam, while there were ten members of the same community who were elected, and why two members of the community were nominated to the Erode Taluk Board when there were thirteen members of the community who were elected? May I know whether the Government are satisfied with the nominations made by the District Board President? He says in his letter that ‘ minority and backward communities are adequately represented and that he selected the members with a view to secure harmony ’.”

The hon. the RAJA OF PANAGAL :—“ If he avoided thereby any disharmony, then I should say that he did so with the best of intentions.”

Mr. R. VEERIAN :—“ May I know whether the nominations made by the District Board President were legal ones? ”

The hon. the RAJA OF PANAGAL :—“ There is nothing illegal about it because it appears from his letter that he had due regard to the representation of the minority communities.”

Mr. R. VEERIAN :—“ May I ask why unrepresented minority communities were not given nominations? ”

The hon. the RAJA OF PANAGAL :—“ From the letter which the hon. Member read, it is clear that the minority communities were given representation.”

Mr. R. VEERIAN :—“ May I know whether the Adi-Dravida community does not come in under the category of unrepresented minority communities? ”

The hon. the RAJA OF PANAGAL :—“ It does ”

Mr. R. VEERIAN :—“ May I know why the Adi-Dravida community was not given representation? ”

The hon. the RAJA OF PANAGAL :—“ From the letter which the hon. Member read, the District Board President seems to have given representation to minority communities.”

The RAJA OF RAMNAD :—“ Is it possible for the District Board President to nominate members from all the minority communities when he has only a few seats to fill up by way of nomination to the taluk board? ”

Mr. R. VEERIAN :—“ What I wanted to know is why Kavandars were nominated again when there was an elected majority on that board from that community.”

The hon. the RAJA OF PANAGAL :—“ The question has already been answered.”

Mr. R. VEERIAN :—“ May I know why the Government cannot cancel the nominations made? ”

The hon. the PRESIDENT :—“ That is a suggestion for action.”

Mr. A. RANGANATHA MUDALIYAR :—“ May I know if there is any member representing the Muhammadan community? ”

The hon. the RAJA OF PANAGAL :—“ I have no information.”

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Representation of depressed classes on Tindivanam Union Board.

* 1441 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state whether there is any Adi-Dravida or depressed classes member nominated to the Tindivanam Union Board ?

A.—The answer is in the negative.

Mr. R. VEERIAN :—“ May I know whether the Government will be kind enough to issue instructions to have Adi-Dravidas on the Tindivanam Union Board ? ”

The hon. the PRESIDENT :—“ It is a suggestion for action.”

Mr. R. VEERIAN :—“ May I know whether any Adi-Dravida member was appointed from the date of coming into force of the Local Boards Act, 1920 ? ”

The hon. the RAJA OF PANAGAL :—“ Notice, Sir.”

Representation of depressed classes on Lalgudi Taluk Board.

* 1442 Q.—Mr. R. VEERIAN . Will the hon. the Minister for Local Self-Government be pleased to state why no member of the depressed classes was nominated to the Lalgudi Taluk Board, Trichinopoly district ?

A.—The information has been called for.

The hon. the RAJA OF PANAGAL :—“ I understand that an Adi-Dravida member has been subsequently nominated to that taluk board.”

Representation of depressed classes in the Salem Taluk Board.

* 1443 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state why no member of the depressed classes has been nominated to the Salem Taluk Board ?

A.—The information has been called for.

Nominations to the Mannargudi Taluk Board.

* 1444 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether there are nominated members among the members of the depressed classes, Muhammadan and Christian communities, to represent them on the Mannargudi Taluk Board, Tanjore district ; and

(b) if not, the reasons for not giving due regard to the above communities while nominations were made ?

A.—The information has been called for.

Education.*Deputations that waited on the hon. the Minister for Education at Mangalore.*

* 1445 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Education be pleased to state—

(a) whether any deputations waited on him during his recent visit to Mangalore from the Indian Christian Civic League of South Kanara, and the Catholic Association of South Kanara ;

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(b) what were the points urged by each of the deputations ; and
(c) what answers were given by the hon. Minister and what orders have been passed or are to be passed on them ?

4.—(a) There was a combined deputation which included both the bodies referred to.

(b) & (c) The points urged and the replies given are summarized below :—

Points urged.	Replies given.
(1) That members of the Indian Secular Clergy of South Kanara and the Pastors of the Kanarese Evangelical Mission may be recognized as secondary trained teachers entitled to grants from Government if they are employed as teachers in mission schools.	The Educational Rules do not permit of this request being complied with.
(2) That the rates of teaching grants admissible to teachers of secondary and elementary grades employed in elementary schools be raised so as to meet two-thirds of the pay of the teachers.	The scale of teaching grants was revised only in the current year. Until the financial condition of the province improves and further experience is gained of the present system, no action can be taken as suggested.
(3) That greater encouragement should be given to aided schools in respect of equipment and building grants.	The rules in the Grant-in-Aid Code afford sufficient encouragement and Government policy is to encourage aided agency in education.
(4) That new board schools should not be constructed within a mile radius of existing aided schools.	Instructions have already been issued to local bodies and to District Educational Councils.
(5) That fixed dates should be notified in the <i>Fort St. George Gazette</i> for the publication of the results of examinations so as to minimize the inconvenience and anxiety of pupils and their parents.	The results are published as expeditiously as possible.
(6) That converts to Christianity from classes and castes recognized as backward should continue to obtain the half-fee concession admissible under rule 92 of the Madras Educational Rules.	Converts to Christianity from the depressed classes retain their eligibility for half-fee concession. The case of converts from members of other classes and communities treated as backward is different. After careful consideration, it was decided that the concession need not be extended to such converts.
(7) That the Madras Abkari Act should be so amended as to make it clear that searches in a house or open place with a view to seizing illicit articles should invariably be made in the presence of witnesses.	The provisions of the Act require that searches should be made in the presence of witnesses and in practice all searches are carried out in accordance with the provisions of the Act.

Mr. J. A. SALDANHA :—“ With reference to the answer to item (5) of clause (b), may I ask why no fixed dates on which the results will be published are notified as it is done in Bombay and other places ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ It has been answered. No more information can be given.”

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Mr J. A. SALDANHA.—“The answer says that the results are published as expeditiously as possible. May I know why a date should not be fixed beforehand so that people may know the date on which the results will be published and may not have to go to the telegraph office day after day?”

Mr J. A. SALDANHA “May I know why the treatment of converts from other classes than from depressed classes is different and why they are not allowed the concession?”

The hon. Rao Bahadur Sir A. P. PATRO.—“They should be backward in education. Once they join a community which is more advanced, viz., the Christian community, they are no longer backward in education.”

Mr. A. RANGANATHA MUDALIYAR.—“Does not the same argument then apply to the case of depressed classes?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The Adi-Dravidas, Adi-Andhras and other classes have been enjoying the particular privilege and they should not be deprived of these privileges because they have been converted.”

Mr. J. A. SALDANHA.—“My point is this. Are not converts to Christianity from depressed classes similarly placed as those converts from other backward communities?”

“With reference to item (1) may I enquire whether the hon. Member is aware that generally it is only S.S.L.C.’s who are admitted to the course of theological studies and that they have to undergo a course of education for ten years?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The answer is clear. They must conform to the Educational Rules.”

12 noon. Mr. J. A. SALDANHA.—“May I know why difference in treatment is shown between the jesuits and the secular Indian clergy who have received the same amount of education?”

The hon. the PRESIDENT.—“The hon. Member will have to move Government for placing the secular Indian clergy on the same footing.”

Adi-Dravida school in Ambattur village.

* 1416 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) why no regular benches are supplied but only a few planks in the Adi-Dravida school run by the Saidapet Taluk Board in Ambattur village;

(b) whether the Saidapet Taluk Board has sanctioned the construction of a school building for the Adi-Dravida pupils in the Ambattur village instead of the present thatched shed;

(c) if not, why not;

(d) whether the Government are aware that owing to the location of the non-depressed class school in a rented building belonging to a Brahman priest near the Ambattur temple there is no free access into the school building for the depressed classes pupils to continue their studies in the higher standard;

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(e) why such inaccessible building should be rented by the Board for school purposes; and

(f) whether the educational authorities did consent to the location of school in such inaccessible buildings?

A.—The Government have called for a report.

UNSTARRED QUESTIONS.

Civil Justice.

Status of civil court copyists.

1447 Q.—Mr. T. M. NARAYANASWAMI PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether any steps are being taken to revise the status of the civil court copyists; if so, in what respect;

(b) what provisions have been made as regards the senior copyists who are to retire immediately;

(c) whether the Government are going to fix a fixed salary of last grade clerk's pay with pension or provident fund with equal amount of contribution;

(d) whether they are going to extend the application of Civil Service Regulations to them as regards leave, etc.; and

(e) when the final orders will be passed?

A.—Certain proposals for improving the position of copyists in the Judicial department were examined by the Government recently, and it was decided that no change in the existing conditions was called for at present.

Agency.

Assessment of the Makaram Mutta's lands

1448 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Member for Revenue be pleased to state—

(a) with reference to the Makaram mutta of Gudem taluk, Vizagapatam Agency, resumed by the Government, how the land assessment is fixed;

(b) whether the lands comprised in the various holdings in the said mutta are surveyed or measured and assessment is fixed thereafter; and

(c) with reference to the lands under the occupation of the members of the muttadars' family, what is the total assessment levied and whether the Government have received representations to the effect that the assessment is too heavy?

A.—(a) With reference to the rates of rent prevailing in adjoining villages. Information as to areas and rents was provided by the muttadar himself.

(b) It does not appear that any regular survey was made.

(c) The total assessment levied is Rs. 365. Complaint has been made by a member of the muttadar's family that the total of Rs. 142-8-0 fixed on his land is too high. He alleges that the lands were held rent-free before resumption.

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Grounds for resuming the Makaram mutta.

1449 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU : Will the hon. the Member for Revenue be pleased to state the grounds for resuming the Makaram mutta and to place the Government Order resuming the mutta on the table ?

A.—Copies of G.O. No. 1765, Revenue, dated 2nd October 1922, and of G.O. No. 13, Revenue, dated 4th January 1924, and of the judgment of the Agency Commissioner and First-class Magistrate, Agency Division, in C.C. 11 of 1922 are placed on the table^a.

Land Revenue.*Provincial revenue in the district of Ganjam.*

1450 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Member for Revenue, the hon. the Member for Finance, the hon. the Home Member, the hon. the Law Member and the hon. the Minister for Education be pleased to state the provincial revenue from the following heads in the district of Ganjam, in the Ganjam Agency and the Vizagapatam Agency for each of the years 1921, 1922 and 1924 ?—

- (a) Land revenue, including peshkash ;
- (b) Stamps (Judicial and non-Judicial) ;
- (c) Forest ;
- (d) Registration ;
- (e) Excise ;
- (f) Irrigation (on all heads) ;
- (g) Share of this Government from income-tax.

A.—The particulars available are given in the appended statement.^b

Encroachment on streets in revenue villages.

1451 Q.—Mr. M. MUSA SAIT : Will the hon. the Member for Revenue be pleased to state whether cases of encroachment on streets in revenue villages which are not included in any union are to be dealt with by the revenue authorities under the Madras Land Encroachment Act of 1905 or by the local boards under the Madras Act XIV of 1920 ; and whether there are any (1) “ public roads ” (2) “ streets ” not vested in local boards in the Chingleput district ?

A.—All encroachments on public streets are dealt with by the local authority (board or council) in whom the streets vest under Law. Should the local authority divest itself or be divested of any street, it will ordinarily revert to Government and encroachments thereon will be dealt with by the revenue officials.

Tree taxes in Tinnevely district.

1452 Q.—Mr. P. T. RAJAN : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that other item trees such as tamarind, iluppai, mango and coconut trees standing on poramboke or assessed waste and held on tree patta in Tinnevely district could be assessed only in terms of and

^a Printed as Appendix IV on pages 565–569 infra.

^b Printed as Appendix V on page 570 infra.

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at the rate specified in paragraph 30 of the notification and should remain unchanged for the period specified in paragraph 40 of the Notification (copy enclosed for information) of the Special Settlement Officer published in the *Tinnevely District Gazette*, dated 1st August 1908 ;

(b) whether the Government are aware that in contravention of paragraph 40 of the said notification, before the expiry of 30 years from fasli 1317, tree taxes are collected from fasli 1332 at the enhanced rate of 8 annas instead of 4 annas and 2 annas as per notification ; and

(c) if the answers to (a) and (b) are in the affirmative, the action the Government have taken or propose to take in this matter ?

ENCLOSURES

*Notification of the Special Settlement Officer, Tinnevely,
dated 1st August 1908.*

(1)

“ 30. Where these trees (tamarind, iluppai, mango and coconut trees) stand on poramboke or assessed waste and are held on tree patta, the present system will remain unaltered. Tamarind, iluppai and mango will be assessed at 4 annas each and coconut at 2 annas.”

(2)

“ 40. The resettlement will remain in force for the usual period of thirty years and the rates of assessment now sanctioned will remain unchanged for that period. Government reserve to themselves the right to revise on the expiry of the said thirty years the assessment on land or trees in such manner as may then seem just and proper. There will, however, be no enhancements of assessment in respect of additional value which may have been imparted to land by improvements effected by ryots even if carried out by means of money borrowed from Government. The thirty years' limit does not apply to lands the irrigation of which may be improved by Government subsequent to the resettlement nor to lands which may be converted from 'dry' to 'wet'. Modifications may also be made in the case of lands in the water-spread of tanks.”

A.—(a), (b) & (c) The hon. Member is referred to the answer to question No. 1321.

Srirangam Temple.

Payment of the mohini allowance for the Rock Fort Temple, Trichinopoly.

1453 Q.—Rao Sahib T. C. THUNGAVELU PILLAI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the mohini allowance for Rock Fort Temple, Trichinopoly, amount to Rs. 7,897-9-11 per annum ;

(b) whether it is a fact that a sum of Rs. 1,983-3-3 only has been paid up to now for the last fasli ; and

(c) what are the reasons for the non-payment of the balance amount ?

A.—(a) Yes.

(b) Rupees 2,896-15-8 had been paid up to 19th October 1925,

(c) Government are investigating the reasons.

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Payment of mohini allowances to Jambukeswaram and Srirangam temples.

1454 Q.—Rao Sahib T. C. THUNGAVELU PILLAI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the mohini amount for Jambukeswaram Temple at Thiruvanaikoil, Trichinopoly, is Rs. 9,880-4-0 per annum;

(b) whether it is a fact that a sum of Rs. 6,626-5-6 only has been paid up to now for the last fasli;

(c) what are the reasons for the non-payment of the balance amount;

(d) whether it is a fact that a similar balance amount is still due for the last fasli for the Srirangam Temple, Trichinopoly;

(e) if so, on what conditions; and

(f) whether the Government are aware that without the mohini allowances the daily pujas to the various temples would be stopped?

A.—(a) Yes.

(b) A sum of Rs. 8,882-10-6 was paid up to 19th October 1925 for fasli 1334.

(c) Government are investigating the reasons.

(d) & (e) No; a sum of Rs. 35,004-3-5 which is the full allowance has been paid to the temple.

(f) The Government have no reason to suppose so.

Survey.*Land complaints on account of resurvey in Godavari and Kistna districts.*

1455 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Member for Revenue be pleased to state—

(a) the Talukwar number of land complaints filed on account of the resurvey in the districts of West Godavari, East Godavari and Kistna; and

(b) whether the original survey records of 1862 or the block survey records of 1892 are taken as forming part of documentary evidence by the survey officers to pass their orders and decisions in such land complaints?

A.—(a) The Government have no information.

(b) The hon. Member is referred to the answers to clauses (a) and (d) of Question No. 1263.

The Survey office at Cannanore.

1456 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state—

(a) the officers employed in the resurvey of South Kanara with their pay;

(b) the establishment employed under them, with their pay;

(c) the establishment employed in the Survey office at Cannanore with their pay;

(d) the vernacular of each member of each of the establishments both as home language and acquired?

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RS.
4.—(a) M.R.Ry. M. N. Ramaswami Ayyar Avargal, Officer
in charge 1,000 +
100 special
pay.

M.R.Ry. S. Dewagnananadar Avargal, additional
officer 380

(b) The average field establishment employed under them is as
follows :—

Sub-assistants	...	...	...	...	3
Head surveyors	...	...	...	...	4
Deputy surveyors	...	...	...	...	52
Field surveyors	...	...	...	...	151
Draughtsmen	...	...	...	...	17

The Government have no information before them as to the pay
of each member of the establishment.

Monthly pay.

			RS.	
(c) 1	Office Manager (Sub-Assistant)	...	290	
2	Clerks	...	60	each.
1	Clerk	...	54	
2	Clerks	...	42-8-0	each.
3	"	...	39-8-0	"
1	Clerk	...	38	
11	Clerks	...	35	each
1	Head draughtsman	...	82	
2	Junior draughtsmen and computers	...	60	each.
3	Do.	do.	44	"
1	Junior draughtsman and computer	...	43	
1	Do	do.	40	
8	Junior draughtsmen and computers	...	39	each.
2	Do.	do.	37	"
5	Do.	do.	36	"
4	Do.	do.	35	"
4	Do.	do.	34	"
11	Do.	do.	31	"
21	Do.	do.	30	"
2	Do.	do.	25	"
Muchis and peons—				
1	...	...	17	
5	...	...	13	each.
9	...	...	12	"

(d) The Government have no information.

Government Press.

Management of the Government Press, Madras.

1457 Q.—Mr. R. MADANAGOPAL NAYUDU. Will the hon. the Home
Member be pleased to state—

(a) the total number of cases in 1925 in which leave was granted by the
Superintendent, Government Press, without allowances when the applicants
were entitled to leave with allowances with reasons ;

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(b) the total number of cases in which increments were withheld in 1925 with reasons ;

(c) the number of cases since January 1924 in which services of permanent employees were dispensed with on the ground that they took long leave on medical certificate ; and

(d) what action has been taken on Dr. Rama Rao's statement in the Budget debate that the Government Press is grossly mismanaged and that a committee should be appointed to enquire into all the matters ?

A.—(a) 217. In almost all these cases the individuals absented themselves without permission and applied for leave only on return to duty.

(b) 51. Increments were withheld for bad work, for irregular attendance, or for failure to pass the Departmental Tests.

(c) One.

(d) No action was taken.

Labour.

Committee to investigate the problem of unemployment.

1458 Q.—Mr. J. A. SALDANHA : Will the hon. the Home Member be pleased to state—

(a) what orders have been passed and if not when orders will be passed on the resolution of this House passed on 25th August 1925 for the appointment of a committee to investigate the problem of unemployment ; and

(b) what will be the scope of the enquiry ?

A.—(a) The attention of the hon. Member is invited to the answer given to question No 1184.

(b) The committee will deal mainly with unemployment among the educated middle classes.

Customs.

Passengers from Pondicherry to Villupuram and the Customs authorities.

1459 Q.—Mr. K. SITARAMA REDDIYAR : Will the hon. the Member for Finance and the hon. the Law Member be pleased to state—

(a) whether the Government are aware that all the third-class passengers travelling from Pondicherry to Villupuram are subject to an examination of their person and luggage by Customs authorities at Chinna-babusamudram railway station ;

(b) whether it is a fact that all the third-class passengers in every train are made to get down from their carriages to assemble in a shed and made to wait and keep standing there till the examination of all the passengers is over ;

(c) whether it is a fact that the shed is not spacious enough to accommodate all the third-class passengers in a train and that they are put to serious inconvenience by being huddled together in the shed ;

(d) whether it is a fact that the shed in question radiates heat in summer which is unbearable ;

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(e) whether there are rules, if any, forcing these people to walk to the shed and if so, whether a copy of the same may be placed on the table of the House ;

(f) whether there are any proposals pending before the Government to remedy the inconveniences pointed out above ; and

(g) if so whether the Government will state what these proposals are ?

A.—The matter is entirely under the control of the Government of India and therefore the Madras Government have no information.

Local Boards and Municipal Councils.

Railway cess collected by the District Board, Kistna.

1460 Q.—MR. S. R. Y. ANKINEDU PRASAD : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the exact amount of savings left to the credit of the District Board of Kistna out of the railway cess collected in the district for the past thirty years, and what the District Board has done with regard to this large accumulation of savings ;

(b) whether there is any proposal to utilize this sum for any purpose other than for construction of Railways in the district ; and

(c) if so, for what purposes and how much ?

A.—(a) The railway cess was collected under the old Local Boards Act of 1884 as amended by Act VI of 1900 from 1902–03 up to 1920–21. The levy was discontinued after the Local Boards Act of 1920 came into force. The amount of railway cess accumulations on the 31st March 1922 was Rs. 26,11,483. The whole of it has been invested.

(b) & (c) The Government have no information. The contribution of Rs. 3 lakhs which the Kistna District Board proposes to make to the Andhra University will be paid from railway earnings, not from the railway cess accumulations.

Representation of Kallars in the local bodies of Madura and Trichanopoly districts.

1461 Q.—MR. P. S. RAJAPPA : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) in how many local boards and municipalities in the Madura and Trichinopoly districts the Kallars are represented by (1) election or (2) nomination ;

(b) the names of the local bodies and municipalities whereon they are not so represented ; and

(c) why no steps have been taken to nominate them in the case of the local bodies referred to in (b) above ?

A.—The appended statement ^a gives the information so far received from the Collectors and the Presidents of the District Boards concerned.

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Representation of Christians in the Nellore District Board.

1462 Q.—MR. K. SARABHA REDDI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that there is no Christian elected or nominated serving on the Nellore District Board; and

(b) if so, whether the attention of Government has been drawn to that fact by the President of the District Board and whether he sent up any proposals to Government in favour of a Christian being nominated?

A—(a) & (b) An Indian Christian has been nominated as a Member of the Nellore District Board.

Nomination of a Reddi to the Nellore taluk board.

1463 Q.—MR. K. SARABHA REDDI: Will the hon. the minister for Local Self-Government be pleased to state—

(a) whether it is a fact that in the taluk board of Nellore one Reddi has been recently nominated to be a member thereof when there were already eleven Reddis (elected) out of the 12 elected seats;

(b) whether it is a fact that nominated Reddi gentleman failed to secure a seat in the Nellore district board by election from the Kavali taluk board, and that he was nominated to the Nellore taluk board where the election of members to the district board was pending;

(c) whether it is also a fact that many representations were submitted by the backward unrepresented communities to the president, district board, before filling up that nomination seat by a twelfth Reddi in the board; and whether the taluk board president apprehending that a Reddi was going to be nominated suggested to the president, district board, that one from the unrepresented backward minor communities might be nominated;

(d) whether the nominated Reddi gentleman in question is not a client of the district board president M.R.Ry. Rao Bahadur A. S. Krishna Rao Pantulu Garu, B.A., B.L., M.L.C., in his capacity as a legal practitioner; and

(e) what were the special reasons for nominating a Reddi, and also that particular gentleman?

A.—(a) The answer is in the affirmative

(b) The answer to the first part of the question is in the affirmative. As regards the second part, the Government are informed that the election of members of the taluk board to the district board took place some time after Mr. Govindu Reddi's nomination to the taluk board.

(c) No representations were received from any communities which are not already represented on the board. It is a fact that the President of the Taluk Board suggested that the nomination should be made from an unrepresented backward community.

(d) The Government are informed that Mr. Govindu Reddi did not become a client of the President of the District Board in his legal capacity until after he had been elected Vice-President of the District Board.

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- (e) The President, District Board, Nellore, reports that he nominated Mr. Govindu Reddi to the taluk board as he considered that he had shown by his previous work as Vice-President of the District Board for one term that he would be a desirable addition to that board and as adequate provision had already been made for the representation on the board of minority communities.

Education.

Last S.S.L.C. Examination at the Salem Centre.

1464 Q.—MR. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the number of question-papers in Elementary Mathematics was 'short' during the last S.S.L.C. Examination in Salem Centre ;

(b) whether locally-typed copies of the said question-paper were given to some of the candidates for the said examination ;

(c) whether some students got their question-paper an hour or so later than the other candidates and whether some of the hastily typed copies were illegible ; and

(d) why no concession whatever was shown by the S.S.L.C. Board to those candidates who got a few marks less on account of (such) circumstances over which they had no control ?

A.—The Government have no information.

Excise

Privileges of agencies for importation of European liquor.

1465 Q.—MR. J. A. SALDANHA : Will the hon. the Minister for Education be pleased to state—

(a) whether there are any bodies or associations or agencies (apart from clubs) which are allowed to import European liquors in bulk and distribute them among their own members or to make use of the liquor fees themselves ; and

(b) whether such bodies are charged any fees like European liquor shop-keepers when the liquor casks are opened and if not, why not ?

A.—(a) The Government have no information. It is not clear what 'liquor fees' are referred to. No licence is required for the possession of liquor within prescribed limits for private consumption and no fee is payable on a licence to possess for bona fide private consumption beyond that limit.

(b) No fee is chargeable for bottling liquor possessed for private consumption. Bottling for sale is only permitted under a licence, which is granted on payment of a fee and is intended to check malpractices in which a person bottling liquor for his own consumption would naturally not indulge.

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[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

A BILL FOR THE REGISTRATION OF NURSES AND MIDWIVES IN THE PRESIDENCY OF MADRAS.

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ Sir, I beg to introduce the Bill for the registration of nurses and midwives and move that it be read in Council. Sir, it is a recognized fact that the nursing profession is one of the most important in any civilized country. The efficiency of the medical profession depends on the efficiency of the nursing profession. A good doctor will do no good to a patient, unless he is assisted by a good nurse. This Bill is introduced in the interests of the public who must not be exposed to the risks of bad nursing by those who have no qualifications for the profession and also to bring the nurses and midwives who are registered under some sort of disciplinary control. According to this Bill, we establish a council which will be in charge of registering nurses and midwives. Clause 5 in the Bill prescribes certain qualifications for the nurses who desire to be registered, and also safeguards the rights and obligations of those who are already practising the profession. Clause 5 (c) provides for the registration of ‘nurses and midwives already in practice in the Presidency of Madras at the commencement of this Act and not entitled under clauses (a) and (b) subject to such conditions and restrictions as may be prescribed respectively therefor.’ I should like to say, Sir, that this Act does not penalise those who practise the profession if they do not take recourse to registration. It is modelled on the Medical Registration Act of 1914 according to which medical practitioners who come under the register have got some rights and privileges while those who do not choose to come under the register are not prohibited from practising the profession. On similar lines, this Bill is drawn. Under this Bill nurses and midwives who take recourse to registering their names will have certain privileges and rights, while those who do not will not be prohibited from practising the profession. I have great pleasure in moving that the Bill be read in Council.”

* The hon. the RAJA OF PANAGAL :—“ I second it.”

* Mr. SAMI VENKATACHALAM CHETTIYAR :—“ Sir, I should like to make a few observations with regard to this Bill. On the face of it, it looks as though there is no urgency for the introduction of this measure. The hon. the Home Member said just now that the Bill was more or less on the same lines as the Medical Practitioners Registration Act of 1914. So far as the experience of laymen goes, it seems to be that the public are not in any way benefited by the registration of practitioners of this sort. If there has been any benefit, it is entirely for those who register their names and even there, it seems to be working not entirely to their satisfaction. It is more or less on the lines of a trade union reserving to themselves certain rights and perhaps ignoring each other's faults very conveniently. All the same, it has been said, though not here, that the Bill originated from the request of the nurses themselves who first thought that, if they were registered under an Act, their service would be recognized in England and they would be permitted to work in England in the same profession when they happen to go there. I am told that such a privilege is not conferred upon those who get themselves registered under the Act. In Burma, though a similar Act has been passed it remains

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a dead letter till to-day. There does not seem to be any benefit to be derived from the passing of this Bill. As has been said by the hon. the Home Member lately, mere non-registration would not prevent nurses from practising this profession; I wonder then, what good will it do to those who get themselves registered under the Act. It would not prevent medical practitioners from employing nurses who are not registered. Nor will registration under this Act entitle the nurses to being employed in Government hospitals and institutions. I am told that though there is a provision to the effect that only nurses with a certain standard of qualification should be appointed in Government hospitals, even nurses without any qualification are appointed and sometimes with higher pay than trained nurses. There is another inconvenient restriction. Nurses residing in a particular area ought not to practise in another area. That would amount to a division of the province among themselves. A patient in Georgetown cannot send for a nurse practising in Triplicane or Mylapore; nor will a nurse practising in Rayapuram be able to attend on a patient in Mylapore. That seems to me to be a mere trade union affair, that one shall not compete with the other. There is no demand from the nurses themselves for an Act of this sort. I wonder where is the necessity for bringing forward this measure, except it be to increase the number of statutes on the Statute Book. Though this Bill is intended presumably for the benefit of the nursing profession, very inadequate representation is given to the nurses themselves; and there are more of Government doctors on the body than the nurses themselves. With regard to the first, power of nomination is given to the Surgeon-General or the District Surgeon. If this Bill is to be pushed on, I shall urge upon the attention of the hon. the Home Member to see that adequate representation is given to the nurses themselves and that they be allowed to elect their representatives even in the beginning instead of their being nominated by the Surgeon-General or the District Surgeon. All the same, I think, there is no immediate necessity for a Bill of this sort."

* Rao Bahadur C. NATESA MUDALIYAR :—" Mr. President, Sir, I appreciate the idea of the hon. the Home Member in introducing this Bill the object of which is to bring under disciplinary control nurses and midwives of this Presidency. But it passes one's comprehension why he is bringing in this combined Bill. There ought to be one Bill for midwives and another Bill for nurses. Nurses may be midwives; but all midwives cannot be nurses. Nurses may be men or women; but midwives can be only women. (Laughter). In England, Scotland and Ireland there are separate Acts for nurses and midwives. No doubt, in Burma, there is a combined Act; but we do not know the circumstances existing there. I wish there were separate Bills in our Presidency for nurses and midwives; because nurses are few and they are not much in demand and even the very little demand is not met by the existing number of nurses. Midwives are many, if we take into consideration the Ayurvedic or Maruthuvakula midwives—I refer to the Ayurvedic system, because it has been recognized by the Government—and there are about one hundred thousand midwives belonging to the Ayurvedic system both in Tamil and Telugu parts. To bring them under disciplinary control will be a problem. I think the Select Committee will solve it. I understand from the speech of the hon. the Home Member that this is only a permissive legislation. If so, there need not be any objection for allowing

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this to be passed into an Act, as the Medical Practitioners Registration Act. (Only those who require registered medical practitioners are supplied with them; similarly what objection can there be for supplying those who want registered nurses with such nurses?)

"Coming to the Bill itself a list of nurses is to be maintained by the Council. In England, Scotland and Ireland, they are having in addition to the general list a supplementary list of male nurses, another for nurses trained to attend on patients suffering from mental disease, and another for nurses trained to attend on sick children and so on. I hope the Select Committee, will attend to them all. A number of midwives are now practising as nurses and they are also employed in Government hospitals. I wish the provision in clause 5 (2) (c) is taken advantage of to register them all. Coming to the midwives according to the statistics of 1924 there were 1,358,748 births in our Presidency—I mean to say there were so many labour cases. Out of this large number of cases, the allopathic midwives were able to attend on only about 278,000 cases whereas over a million cases have been attended to by the Ayurvedic midwives. I wish to point out that if the proposed legislation is not permissive in its nature, all these midwives will be put to hardship.

12-15 P. m. "So I request the hon. the Home Member and also the Surgeon-General to register all those Ayurvedic midwives that are practising to-day. Then, that will be a little solution of the difficulty. Sir, even in our city where there are so many women and children hospitals, child welfare schemes and baby welcomes out of 24,549 cases, these nurses were able to tackle only about 10,000 to 12,000 cases. Other cases were in the hands of Ayurvedic midwives. So, I request the Surgeon-General to see, when this is in the Committee stage, that all these Ayurvedic or Maruthuvakula midwives that are practising are registered under sub-clause (2) (c) of clause 5, because with certain restrictions they can be registered. Sir, I am telling this, because in our customridden country with its poverty and purdah system, if only these Maruthuvakula midwives are made efficient and encouraged, that will be an easy method of taking maternity relief to the poor homes in a cheap form and, at the same time, we will be encouraging that inherent aptitude in that remarkable community to which medicine in general and surgery and midwifery in special was confined from time immemorial in our land."

* Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I want to say one word regarding the constitution of this Council of nurses and midwives. The constitution of that Council is referred to in clause 3 and, under the other clauses of the Bill, this Council possesses large and important powers. It is therefore necessary, to my mind, that particular attention should be paid to the constitution of this Council. As it now stands in the Bill, the Council consists of 12 members and of those, as many as nine are other official members or ex officio members or members nominated by the Government or by the Surgeon-General. Out of them, only three are elected members. It seems to me that in order to adequately represent the interests of these midwives and nurses who are brought under the operation of this Bill, it is desirable that there should be more elected members than are at present in this Council of twelve. I think the proportion may be fixed probably at 50 per cent. That is my point which, I suppose, will be carefully considered by the Select Committee. Probably 50 per cent of the members may be elected and the other 50 per cent may be either ex officio or nominated.

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“One other suggestion that I wish to make is on the lines indicated by my Friend Dr. Natesa Mudaliyar. Provision is made in the Municipal Bill that will probably be introduced to-day or on Monday by my hon. Friend, the Minister for Local Self-Government, relating to the maintenance of midwives according to the indigenous system. There is that provision in the new Municipal Bill, and I think, Sir, that care should be taken in the Select Committee to be appointed on this Bill to see that no conflict in any way exists between the midwife to be recognised under the Municipal Bill and the midwife to be recognised under this law.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“Sir, it is true that this Bill is put forward as a permissive piece of legislation, but I think that we must be satisfied about the necessity for this measure before we can give our assent to its introduction. Even in the case of the Medical Registration Act it was only after several years when it was in operation in the United Kingdom that it was passed. So far as the Nurses Registration Bill is concerned, we find that even the English Nurses Registration Act is not in any way behind it. It is only in 1922 that among all the provinces of India, we find that Burma introduced a similar Bill. We wish to have information, Sir, as to the necessity for this Bill being introduced at this stage before we can give our assent to it. In clause 5, sub-clause (2), provision is made for the registration of nurses and midwives under certain conditions. May we know how many nurses now come under the category mentioned in sub-clause (2) (a) possessing the required qualifications, and how many midwives come within the description given in sub-clause (2) (b)? Unless we know how many possess the qualifications prescribed for nurses and midwives under this Bill, we cannot come to a correct conclusion as to the necessity for this measure. If we turn our attention to clause 9 of this Bill, we find certain restrictive conditions imposed as a result of the passing of this Act. It is stated that

‘No woman shall, after the expiry of one year from the commencement of this Act, be competent to hold any appointment as nurse or midwife in any dispensary, hospital, asylum, infirmary or lying-in hospital, which is supported entirely or partially by public funds or by the funds or contributions of any public company.’

“If the wording of this clause only provides for future appointments, I can understand something in this Bill. The clause is so worded as to suggest that only one year after the commencement of this Act persons who are employed in most of these aided dispensaries who are holding appointments of midwives are liable to be turned out, unless they are registered as such. I think, Sir, that when we have got such a restrictive provision, it is necessary to be satisfied as to the real urgency or necessity for the Bill. I am aware, Sir, that there is a provision in sub-clause (2) (c) of clause 5 to the effect that nurses and midwives already practising in the Presidency of Madras.

‘at the commencement of this Act and not entitled under clause (a) or (b) subject to such conditions and restrictions as may be prescribed respectively therefor’

shall be registered; but the provision that only those nurses and midwives who satisfy such conditions and restrictions will be registered is by itself sufficient to induce us to ask for further enlightenment of the provision, before we can accept it. Because, without knowing what conditions and restrictions are likely to be insisted upon for the registration of nurses and midwives already in practice, there is the danger of a large number of nurses and midwives being turned out within a year after the

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commencement of this Act That, I think, Sir, is the danger of the provision Secondly, it is unreasonable to insist upon the registration of nurses and midwives, unless there is ample provision made for the training of those who are already practising. I know a circular was sent by the Government to various local bodies asking them as to whether they will provide for the training of *Dhais*. Circulars were issued and replies must have been received, but so far as I know, while recognizing the desirability of training them, most of the local boards pleaded want of funds. And what is the position? If the Government are satisfied that local boards cannot themselves incur expenditure for the purpose of improving the qualifications of these *Dhais* all over the Presidency, if the Government also are not prepared themselves to allot large funds for that purpose, is it fair or reasonable, I ask, that they should have a Bill introduced for the purpose of registration of midwives under such conditions? My hon. Friend from the City of Madras, Dr. Natesa Mudaliyar, has drawn our attention to the figures relating to this Presidency in respect of the total number of labour cases and the number of cases attended by midwives. It is, therefore, clear to the casual observer that the number of labour cases attended are mostly by persons who are not qualified or who do not come within the purview of this Bill, but only by persons with experience. If the moment this Bill is passed there are special privileges to be conferred on some persons while there are hundreds of thousands of midwives who are doing no less inferior work, may I not ask that, before further steps are taken in the matter of legislation, the Government themselves should come forward with a liberal provision for training these *Dhais* who are actually doing this work? There is no one in this House, I think, who will suggest that these unqualified nurses or midwives ought to be allowed to continue as such. Every one is anxious that they should be better equipped with the necessary training and that better arrangements will have to be made for enabling them to do this work in a satisfactory manner. Before making these arrangements, before providing for training to a large extent, to say that we shall have a Bill for the purpose of registration is, I think, something like putting the cart before the horse. I would also join my hon. Friend, Dr. Natesa Mudaliyar, in thinking that we ought to separate the class of nurses from that of midwives. The conditions in the case of midwives are quite different, and whatever you might say, for a long time to come, it is necessary to have such work carried on by persons who are living in villages and are doing something to help the suffering people. Under these circumstances, I would say that we shall not be justified in passing this measure, unless we are satisfied that adequate arrangements would be made by the Government not by simply asking the local boards the question 'Will you please find funds for training these people?' but by themselves providing large funds for training such qualified persons for the purpose of giving them better training. Unless these arrangements are made, I think it is not worth while pushing this Bill further."

Mr. A. RAMASWAMI MUDALIYAR :— "I desire, Sir, just to offer a few remarks on the nature and the scope of this Bill which, I fear, has not been correctly appreciated by some of the Members of this Council. This Bill does not seek to regulate the practice of all kinds of nurses and all classes of midwives. This Bill does not seek to bring under one register everybody who attends to the sick and to those who are labouring. This Bill merely

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seeks to set apart the class of persons who are marked out in the hall-mark of efficiency according to Government standards, to give them a special status and a special privilege and at the same time it does not seek to disqualify and it does not seek to damnify anybody who is outside this class. As I understand the nature and the scope of this measure, certain persons who can be considered as trained nurses and as trained midwives will be recognized as such by the Government for employment in public or quasi-public institutions. That is the scope of the Bill as I understand it. Others will be at liberty to practise and to attend on my hon. Friend, if he should have the misfortune to fall ill, though they may not be registered in the register. There is nothing to prevent a nurse attending on a particular patient, even if she is not registered under this Bill, but the thing that is prevented is that she shall not qualify or call herself a qualified nurse or a qualified midwife. Now, Sir, I conceive this Bill to be therefore in the interests of the people in labour and those unfortunate people who happen to be sick and who want the services of nurses. Now it is perfectly clear that anybody may put a notice-board on her door that she is a qualified or registered nurse or midwife. I have myself come across instances where people who do not pretend to any qualification have put up notice-boards on the doors of their houses, so that a man who is sick does not know whom to go to and whom to avoid. It is therefore a painful necessity for any man of choosing anybody and afterwards at his own cost finding out that she is not a qualified lady at all. My hon. Friend from Coimbatore very obviously from his experience, it may be late”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ Not my experience.”

Mr. A. RAMASWAMI MUDALIYAR :—“ I am glad to have that assurance, Sir. Now, I am glad that the hon. the Home Member has brought in both classes of cases, the nurses and midwives. For, if there is one class of cases which is more particularly pressing at the present time, it is the midwives class rather than the nurses class. The havoc that is done to humanity, to the mother and to the newly-born babies by ill-qualified midwives attending on these labour cases is one known not merely to the medical profession, but to anybody who has at all anything to do with child labour. And it is particularly urgent, therefore, notwithstanding the protestations of my Friend from Nellore, that everybody who has any interest at all in the question of population should pay his attention to the question of providing adequate midwives. My hon. Friend complained of the want of funds the local bodies are feeling in providing training for these midwives.

“ Now, Sir, I consider that as one of the most urgent, if not the most urgent duty of the local bodies, to see that at least qualified midwives are had in the few dispensaries that are run by these bodies. Stop your wells, stop your roads, stop everything because population cannot stop and try to have at least qualified midwives in your hospitals. You talk of the work that you are doing as honorary officers, as men who carry on the district board work. I cannot think of anything more urgent than this. I am surprised to find that such an enlightened member as the hon. Member for Nellore should plead want of funds for the training of a few *Dhais* on the part of the district boards. What have you to pay after all on account of the training? It will be about Rs. 20 a month for each *Dhai* and you are going to give a year's training in a first hospital in the city. It is to be a

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source of blessing to thousands of people who are in labour. And that, even my hon. Friend says, he is hard to feel. I pity the financial position of the district boards. I pity the nurses who are not able to get that little support from my hon. Friends. That surely is a talk which generates from the fact that the problem has not been correctly appreciated. As I conceive this Bill, the numerous *Dhais*, the barber midwives to whom my hon. Friend has referred, are outside the scope. There are millions of cases in which it has not been possible to get trained midwives. These midwives will be carrying on their work, but they will not call themselves registered midwives; they cannot be admitted and they will not be allowed to call themselves registered midwives. They cannot be allowed to work in Government hospitals or in quasi-public hospitals. I cannot understand a public institution being run and employing a midwife who has no qualifications according to the accepted theories of doing her work. I know, Sir, that the profession of midwifery is practised with considerable success in certain parts of the Presidency. I know, for instance, in the district of Malabar, the practice of midwifery has attained a certain amount of success which is almost comparable with the success attained by those who have had training according to the western schools of midwifery. Apart from this exception, I think it must be generally recognized that if there is one science where the western system has come to give us immense help more than any other in a most unequivocal way, and where we have almost entirely to depend upon the western system, it is the science of midwifery. Anybody who has had anything to do with it will realize it. And the great mistake that we commit is in thinking that a midwifery case is a disease. It is nothing of the sort. And therefore, when my hon. Friend says that so many *Dhais* or midwives have treated cases well and that no mishaps have occurred, he fails to appreciate that, in most of these cases, there is nothing that has to be attended to and nothing really to be done.

"There is only one point which I would like to press for the attention of the hon. the Home Member and that is section 5 (2).

"The section reads:

"The following persons shall be entitled to registration under this Act, namely (a) Nurses who have undergone the three years' training in a recognized General Hospital, have passed the final qualifying examination, etc.

"There are certain classes of nurses who have been imported into this country from abroad. I am particularly referring to that class who are called sisters of charities, nurses who have had training in countries other than India. I wish to know under what class they come. It is unfair that they should be sent for another three years' training to the General Hospital recognized in this Bill. Rider (c) will not apply, unless it be that they are in existence already, and attached to hospitals. What about those who are to come hereafter? There are certain institutions run by sisters of charities. They are being brought to this country from time to time to replace those who are going on leave. They have had their qualifications completed already. For example, I know in the hospital at Cuddalore sisters of charities have been doing excellent work for the last twenty-five years. When some of them take leave, others from France come over and do their work. I only want the Select Committee to consider this aspect of the case and

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provide that such people, if the Surgeon-General or some other responsible authority is satisfied that they have got the necessary qualifications, may also come in the category or may be specially exempted and be enrolled in the register of nurses. I think that this Bill has come not a day too soon and I have great pleasure in supporting the main principles of the Bill."

* Rao Bahadur C. V. S. NARASIMHA RAJU:—“ Mr. President, when I first read the Bill, I was not able to understand its scope and its intentions. And when my hon. Friend from Chingleput said that he would explain the scope and intentions of the Bill, I thought he would give me sufficient information to understand the Bill better. I have heard him carefully; but I am sorry to say that I am in the same position in which I was before he delivered his speech. If I understand him correctly, he said that the main intention of the Bill was to differentiate between qualified and unqualified nurses and midwives. He said that there were at present many nurses and midwives putting up a board saying that they were qualified nurses and midwives and this Bill was intended to remove such a fraud on the public. Sir, I would respectfully call his attention to sub-clause (c) of clause 5. What does it say? It says that all nurses and midwives who are practising at present are to be registered in the register provided they possessed certain qualifications. The hon. Member from Nellore pointed out that the rules prescribed, if they happen to be so stringent, the local boards will have to dispense with the service of the existing midwives. If both these statements are seen together, I agree with the hon. Member in saying that the fraud on the public cannot effectively be removed. If you really insist upon the qualifications and efficiency, you should only retain clauses (a) and (b), and cannot say that for the time being you are going to exempt unqualified nurses and midwives and bring them into the list as a sort of compromise. If you do that, waive the question of efficiency. And if the rules prescribed are to be the rules that are to bring a certain standard of efficiency, though these persons have not passed the examination test they have attained a level of efficiency which is equal to the examination test, it will then be too rigid and many of the existing practitioners cannot be now in the register and it will certainly tell upon the persons already in the service of the local bodies. We know that, as a matter of experience, more than 60 or 70 of the existing staff under the local bodies cannot come under clause (a) or clause (b). And if you make the rules to be prescribed under clause 9, within one year they will have to leave the service. Along with this question, it has to be examined whether adequate provision is made by the Government or other agencies to create a number of qualified midwives in course of time. It has been said that the local bodies, if they cannot send midwives for training on stipends of Rs. 20 a month, it is a pitiable case. But you have to face facts. How many taluk boards and municipalities have sent within the last two or three years for training midwives to Madras on stipends? With my experience, I may correct the hon. Member from Chingleput that the stipend is not Rs. 20 as he imagines it to be, and I believe he will admit that it is a substantial increase from Rs. 20 to Rs. 30. But my hon. Friend is not a president of a local body. If he was and if he had taken the trouble of shaping the budget of the local bodies, he would himself have felt the financial stress of the local bodies. When the Government are coming forward with a measure of this kind, I would like that my hon. Friend comes with a suggestion that the stipends be met from the

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provincial revenues, so that the financial strain of the local bodies be relieved. My hon. Friend does not advocate that policy, but he insists without carefully examining the finances of the local bodies, that they should improve their finances and try to have trained people. I do not think that any one will disagree with him when he says that there should be trained midwives in all the local bodies. But the question is, how are you going to manufacture them, in what period you can manufacture them and who is going to pay for their training? He said, perhaps humorously, that the roads can be stopped, that the construction of wells might be delayed, but not the increase of population. I think my hon. Friend is aware of the various theories now proclaimed in various quarters that increase of population ought to be stopped. Therefore, in order to be more fortunate in his election tours in Chingleput next time, I do not think he will advocate the stopping of roads but he may conveniently advocate the stopping of the population so that the electoral rolls need not increase enormously. Moreover, an examination of the Bill shows that even when compared with the Medical Registration Act, this is more stringent. According to the provisions of the Act, a local authority can maintain an institution not necessarily allopathic and the doctor employed in it may not be a registered practitioner. But here, the provisions are so drafted that hereafter a midwife who is not registered under any of the provisions cannot be entertained by a local authority even for services in an institution which is not necessarily allopathic. I hope that aspect of the question will be examined very carefully by the Select Committee and necessary latitude and freedom be given to the local authorities to distinguish between the two classes of people and if the local authorities are convinced that the training which some of the midwives had received is enough for their ordinary purposes having regard to their financial position, they should be given liberty to have such a staff maintained.

“Again, in the provisions of the Bill, power is given to the Council to be constituted under the Act, to remove nurses and midwives from the register. I believe a *carte blanche* is given to the Council in the matter and no attempt is made in the Bill to specify the grounds under which the removal can be effected. Is it desirable that such a wide discretion should be given to them? The hon. Member from Malabar has already remarked on the constitution of the Council. Now, as it is, the constitution of the Council really indicates it is an official body. And most of the nurses and midwives who are entertained by the Government or the local bodies are already subject to the discipline and control of the Government and of the local bodies. I do not understand how this new Council differs from the supervision of the Government in any except perhaps individual discretion is replaced by collective discretion.

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“But even there, I find that the nurses or midwives can be removed by the Governmental agency without a reference to or without a judgment from the Council to be constituted. If it is provided that as far as professional disqualifications or grounds for disqualification are concerned, the jurisdiction should be in the Council and not in the public servants or superintending authorities. I can understand the usefulness of such a Council. But now, by the creation of this Council, they are submitting these public servants both to the disciplinary control of their immediate superiors as well as this

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Council. That means we are adding on another disciplinary control in addition to the existing control. I do not think that any advantage can be got from the registration, if they are to be subject to double control hereafter. Therefore, I am strongly of opinion that it is highly necessary in this Bill to remove all reference to midwives and perhaps, it may safely be confined for the present only to nurses."

* MR. S. ARPUDASWAMI UDAYAR :—" Mr. President, I am very thankful to the hon. Member for Chingleput for having raised the question of a useful body of nurses called sisters of charity. I was myself going to make an appeal to the hon. the Home Member with regard to that body of nurses. I quite admit the principle laid down in this Bill that nurses should possess the requisite qualifications. It is certainly very desirable, and in the interests of the well-being of the public, that persons who discharge the duties of nurses should be duly qualified. Otherwise, in the discharge of their duties, they may make mistakes, which certainly cannot be easily rectified. But at the same time, Sir, I think there is the danger of these qualifications being raised so high as to exclude certain bodies of persons who possess very good qualifications and who possess also a practical knowledge and experience of nursing which makes up for certain kinds of qualifications which may be technically deemed necessary. For instance, Sir, a nurse who has spent one year doing very hard work in a big London hospital or a hospital in Paris may possess certainly an amount of experience and an amount of knowledge which is equivalent to two years' course of training in one of our hospitals. But because the rule says that a certain period of training ought to have been gone through, technically speaking, those nurses may be debarred; and my appeal to the hon. the Home Member is to see that in fixing the qualifications, or a period of training, the qualifications are not raised so high as to exclude the persons I have mentioned and the period of training ought not to be made so unusually long and the courses so very elaborate as also to exclude them. There is the danger, as I said, of such a thing coming to pass, not merely speculatively considered, but as a matter of fact. I remember reading some months ago in some Calcutta paper of a complaint made by the leader of the Anglo-Indian community there that the introduction of three or four sisters in a Government hospital was a very serious step taken by Government that the latter were not encouraging the members of the Anglo-Indian community by allowing such people as sisters being introduced into the hospitals to do the work of nursing when Anglo-Indian nurses were available. I do not see how there is real competition here. Because it is possible for a certain community to raise a cry and to insist on some qualifications being considered essential and certain bodies of persons being given preference in the matter, there is also the danger, speculatively considered, of these qualifications being raised unduly high. So, I make an appeal to the hon. the Home Member to see that the services of the useful body of nurses referred to by my hon. Friend, the Member for Chingleput, be given due consideration and that such a body of useful nurses be not excluded by reason of some drastic and not altogether necessary technical qualifications being given undue importance."

Rai Bahadur T. M. NARASIMHACHARLU :—" Sir, I think that there is no necessity for the introduction of this measure. It is said that this will benefit people upon whom unqualified persons are palmed off as qualified nurses or

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midwives. And it is in the interests of the people that this Bill is sought to be introduced. Though the intention may be very good, it seems to me that the actual working of the Act will have quite the opposite effect. I shall explain myself clearly. Now, it is said that certain nurses and midwives of certain qualifications and training have to be registered, and it is said also that those who are registered shall be employed by the local bodies or other public institutions. At present, there is not much popularity about getting midwives and nurses trained in the hospitals of the Presidency. In course of time, these registered midwives and nurses will put up a very high price on themselves and will not stoop to go to the mufassal for the paltry sum that the local boards are able to give. Under the Act after one year, no person shall be entitled to be in service unless she has got a particular qualification and training and unless she is also registered under this Act. The result will be that a very high sum demanded by the registered nurses and midwives and there will be no midwives or nurses in the dispensaries and hospitals in the mufassal. The result is that those dispensaries and hospitals will have to be run without any midwife or nurse, because those local bodies will not be able to find money for the high pay which may be demanded by these registered nurses and midwives. No doubt, the hon. Member, Mr. Ramaswami Mudaliyar, has stated that the local boards can do away with everything else and spend all the money on midwives and nurses. Very well, Sir, if the Government in the Amending Bill that they are going to bring forward hereafter say that the object of the local board, the purpose of the local board, is to look after the birth of people, then, of course they can spend their money on midwives and nurses. But the local boards have to attend to several other needs which are very necessary for people who are now in existence. Therefore, they must also look to the other needs as well. Therefore, I consider, Sir, that he is not quite right in saying that the local boards should spend all the money for bringing up the future generations of this country. I think he is not quite accurate there. The local board must no doubt devote a portion of their money on this object, but they have got other duties also to attend to, which require also money to be spent by them. Hence, I ask, this particular question. Suppose these nurses and midwives are registered. Suppose the local bodies want the services of these persons. Suppose they demand high salaries. Then, how is the Government going to meet the needs of the local bodies as against the high demand of salary by these nurses?

MR. A. RAMASWAMI MUDALIYAR:—“The salary can be regulated under special sections or under rules. Rules may be made regarding the salary, conditions of service, etc.”

RAI BAHADUR T. M. NARASIMHACHARLU:—“Very good. Now, is there anything in that Act, or can there be any rule which can compel any midwife or nurse to accept service under the local bodies for the pay which they are able to give? Now that is a question which I straightly put and I require a straight answer. If it is not so, then what is the object of this Bill? The object of this Bill is simply to confer certain privileges and enhanced perquisites upon the nurses and midwives. Let there be a provision that the nurses and midwives registered under this Act shall accept service under the local bodies on the reasonable salary that they are able to

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pay. (Voices:—‘ Oh, Oh ’ and laughter). Then, I shall welcome this measure. If there is no such rule, by which nurses and midwives cannot be compelled to accept service for a less pay than what they demand, then, I think there is no use of any such Act at all. On the other hand, as I already submitted, this will have the effect of keeping vacant the posts of midwives and nurses in many of the local hospitals and dispensaries. If that is the object that you have got in view, very well, let this Bill be passed by all means. But if your object is really to safeguard and promote the interests of the people and not of these midwives and nurses, well then, make some provision which will compel them to serve under local bodies for a reasonable pay. I do not know what disciplinary action you are going to take over midwives. I do not know how these ladies are going to submit to any discipline and how chivalrous it would be on our part to enforce discipline on these ladies. Apart from that question, I may say let there be some disciplinary action that they shall accept service for reasonable pay under the local bodies. That is all. If that is done side by side, whether by the Act or by the rules framed under it, there shall be no objection. But first let them see to that question.”

Major-General T. H. SYMONS:—“Mr. President, hon. Members are aware that this Bill was brought before the House in September 1924, but it was referred back for further consideration, because time was limited and hon. Members wished to consider further the objects of the proposed Bill. I hope after twelve months’ consideration hon. Members will see their way to pass on the Bill, as it stands, to the select committee where the details can be worked out. This is the first Presidency in India which has considered the framing of such a Bill, thereby setting to the rest of India a good example. I would add, however, that Burma brought in a Bill for registration of nurses and midwives in 1922. In time, it is to be hoped that the Government of India will bring in an All-India Nurses and Midwives Act. The objects of the Bill now before the House are—

- (1) to safeguard the interest of the public,
- (2) to raise the status of the members of the profession thereby incidentally, and
- (3) raising the standard of nursing and helping to maintain it at the same level throughout the world.

The above reasons are so self-evident that it is not necessary for me to enlarge on them, beyond stating that all qualified nurses and midwives in the Presidency are most anxious to see the Bill become law. There are a good few instances in the Presidency where a woman calling herself a nurse has undergone no instruction whatsoever in nursing. She passes herself off as a nurse, and, under cover of the name, keeps a house of ill-fame. Such a person does the greatest harm to the nursing profession. It is to prevent such persons as this sailing under false colours that a Bill is very essential. There are at present some 391 nurses and 1,802 midwives who have undergone the necessary course and passed the recognized examinations in the Madras Presidency. Hon. Members are aware that Government have taken steps to popularize this most worthy profession by instituting a larger number of training centres. At present, besides the big hospitals in Madras nurses are being trained at the following Government headquarters hospitals, Salem, Vizagapatam, Guntur, Calicut, Tanjore

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and Mangalore. In addition to that, a large number of nurses possessing diplomas are working in the headquarters hospitals at Cuddalore, Chittoor, Coacanada, Bellary, Kurnool, Nellore, Vellore, Trichinopoly, Ootacamund and Coonoor. It is hoped in the near future that, as a result of these new training centres, many more nurses will obtain the Nurses' diploma. Again, to improve the status and to secure a better stamp of girls, especially Indians, Government have raised the standard of education necessary for a girl to embark upon this career. The standard now expected is eighth standard or Junior Cambridge for Europeans and Anglo-Indians and fourth form for Indian pupils. This has had a most salutary effect in improving the class of girls who now apply to undergo the training. As to the advantages of such an Act, I would quote the experience in England. The English Midwives Act first became law in April 1903. In March 1905, there were 9,787 trained midwives and 12,521 untrained. In 1914, there were 26,572 trained and 10,718 untrained and in 1921, less than 15 per cent were untrained, thus showing that, in time, the untrained article dies a natural death. To show that the Bill is wanted by the nursing profession I will quote a resolution passed in Madras in February 1924. The resolution was drawn up at the annual conference in Madras and it ran as follows:

'We, the Trained Nurses' Association of India, assembled in conference, are of opinion that the nursing profession is not sufficiently recognized in India, and as a body of fully qualified superintendents and nurses we consider that we should have direct representation on any board which is framed to deal with nursing questions. We also consider that until it is possible to pass an All-India Act for registration of nurses in India, it is desirable that a form of registration of a uniform standard should be instituted in each Presidency and province at the earliest possible date. Further, we consider that all classes of recognized training schools in each province should be adequately represented on any committee formed to deal with this question.'

"Profiting by the short debate which took place in October last year, I will now point out various alterations which it is proposed to make in the Bill. The points objected to by certain hon. Members could be considered at the select committee stage. In paragraph 5, it will be noticed that only nurses and midwives are provided for. In January 1925, I called for a meeting in my office of 13 people to consider the question of registration of dhais. This was done because it was realized that at present there are not nearly a sufficient number of nurses and midwives to supply the demands of the 45 millions of people who inhabit the Madras Presidency. This applies particularly to the poor people who live in the out-of-the-way parts of the mufassal. It was agreed therefore, and Government have since approved of the scheme, that systematic training of dhais at district headquarters, municipal and taluk headquarters should be started. This scheme should be more or less worked on these lines. The local boards should subsidize the number of dhais in training and the stipend suggested to them was Rs. 7-8-0 per mensem. They should be trained in the headquarters of the districts for a period of six months and the examinations should be conducted locally. When the dhais, as a result of the examination, have satisfied the examiners, they would be registered. They were to have a refresher course every two years.

"The dhais trained under this scheme can never be a substitute for fully trained nurses or midwives, and as such shall not be eligible for Government, Local Fund or Municipal service—the training is only in elementary principles essential, to put a stop to their crude and barbarous methods, and to

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eliminate, as far as possible, the suffering inflicted by them on women in labour, often resulting in sepsis and death.

"I apologise for these details, but I thought it desirable to enumerate them so that the House may understand, why since last year we have suggested this additional register.

"Section 5, clause (2) (c), I believe, is not generally understood. It is intended to provide for those nurses and midwives who have not undergone a full course. Some nurses, for instance, perform what they term 'sick nursing', after having received only a partial training at a hospital. These nurses, before they could be brought on the register, would have to produce conclusive evidence in the form of certificates, etc., to show that they really had received the training claimed by them. It is obvious also that such cases must be judged on their respective merits and the Council be allowed to use its discretion as to whether the nurse or midwife should or should not be brought on the register.

"In India, as well as in England, the course of training for nurses is three years and twelve months for midwives.

"As regards the midwives, it is proposed to start local committees and these local committees will enquire, when this Bill comes into force, whether what are stated in the applications are true, and exempt them. Another point raised in this connexion is that this committee would enquire into complaints and have a right to suspend the members of the profession in cases of misdemeanour, in offences which in the opinion of the committee were due to professional negligence and in cases where the committee might consider it necessary to do so. If a nurse is handed over by any public authority, the committee will make the enquiry. As regards Sisters of Mercy, we have at present sisters from Europe employed in Vizagapatam, Bellary, Cocanada, Cudalore, Guntur and many other places. They come here either with a diploma after three years period or six months course or after partial training. Government have laid down a certain scale for the nurses. Nurses start on Rs. 75 and the midwives are of two varieties. The first class is paid Rs. 45 and the other Rs. 25. These sisters come often with proper diplomas recognized in any European country. If she comes with partial training, she is called a partially trained nurse. Perhaps that requires some explanation. Nurses have to undertake their profession in any hospital and know some of the male nursing. If not, they are not fully qualified. If it is agreed to enforce this rule, then the nurses who pass a course of three years should, after they obtain a certificate, be sent to the General Hospital for additional six months to work in the male wards and understand the nursing of the man. I do not wish to go into the question of finance.

"As to the necessity of the Act, I will leave it to the hon. Members. To my mind it is very essential. We wish to give you a qualified nurse if you send for one. As it is now, you may get anything. It is up to you to demand what you ask for."

* MR. A. RANGANATHA MUDALIYAR :—"I want to know the number of 1-15
persons now in service as nurses or midwives in all the hospitals, dispensaries, P.M.
infirmaries, etc., which are supported wholly or partly by the State?"

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Major-General T. H. SYMONS :—" I am sorry I cannot give the answer offhand."

* Mr. A. RANGANATHA MUDALIYAR :—" In case we have not enough people that can be registered straightway, we will have to consider whether this is a practicable measure ? "

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I am very thankful to the Surgeon-General for the many constructive suggestions he has placed before the House and I am sure that when they are incorporated in the Bill, it will receive the acceptance of this House.

" My hon. friend, Mr. Sami Venkatachalam Chettiyar, wanted to know the reason why we want to register these nurses. That question has been amply answered by the Surgeon-General who said that we want this registration for the purpose of safeguarding the interests of the nursing profession and also for the purpose of bringing into existence a high standard of professional etiquette.

" The question of the constitution of the board has been raised by my hon. Friend from Malabar and also by my hon. Friend from Madras. It is a matter of detail which will be considered in the select committee.

" My hon. Friend from Madras, Dr. Natesa Mudaliyar, raised the question of the training of dhais as nurses and it has been answered by the Surgeon-General. Hon. Members will realize that these nurses should receive some kind of training or other in order that they may discharge their duties efficiently.

" The point raised by my hon. Friend from Chingleput has also been met by the Surgeon-General. The question of Sisters of Charity may be considered by the select committee.

" My hon. Friend the Leader of the Opposition thought that the question of those who have been employed by the taluk boards should receive due consideration. Certainly so. Their cases can also be considered in the select committee. But I do not agree with him when he said that it is not necessary to place these people under disciplinary control. It should be remembered that all of us are under some measure of discipline. The Members of Government and the Members of the Legislative Council have to submit to the rulings of the Chair. Therefore, it is necessary that these people should be under some sort of disciplinary control. I do hope that the matters mentioned by the Surgeon-General will receive due consideration in the select committee."

The motion was put and carried.

The Secretary then read the title of the Bill.

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I beg to move that the Bill for the registration of nurses and midwives in the Presidency of Madras be referred to a Select Committee consisting of the following gentlemen :—

The hon. the Advocate-General,
Major-General T. H. Symons,
Rao Bahadur C. Natesa Mudaliyar,

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Rao Bahadur A. S. Krishna Rao Pantulu,

„ C. V. S. Narasimha Raju,

„ M. C. Raja,

Rao Sahib R. Srinivasan,

Khan Bahadur P. Khalif-ul-lah Sahib,

Mr. B. Muniswami Nayudu,

„ R. Madanagopal Nayudu,

„ S. Arpudaswami Udayar,

„ J. A. Saldanha,

„ A. Ramaswami Mudaliyar,

„ F. Noyce, and

the mover.”

* The hon. the RAJA OF PANAGAL :—“ I second it.”

* Rao Bahadur C. V. S. NARASIMHA RAJU :—“ I propose the name of Mr. Sami Venkatachalam Chettiyar for membership on the Select Committee.”

Dr. P. SUBHARAYAN :—“ I second it ”

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I have no objection.”

Mr. S. SATYAMURTI :—“ Sir, some time ago it was said that representation on the select committees of Bills should be roughly proportionate to the strength of the parties in the Council. I know that at the recent meeting of the Presidents of various Legislative Councils this suggestion could not be accepted because of various difficulties. But I think in this House we had agreed more or less that we should have these committees representative of the strength of the various parties in the House. I have made a rough calculation as the hon. the Home Member was reading the names and I found that, including my hon. Friend, the President of the Madras Corporation, whose name was just now suggested, I think the Opposition has got three members out of a committee of 15 members. I do not think this is a fair proportion and I do think the hon. the Home Member will consider the desirability of omitting some of the supernumeraries on the Ministerial side and putting some more from this side of the House on the committee.”

Mr. A. RAMASWAMI MUDALIYAR :—“ Sir, I have no objection to give my place as a supernumerary to any supernumerary on the Opposition side.”

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I leave it to this House to change the names as they please.”

Rai Bahadur T. M. NARASIMHACHARLU :—“ It has been noticed that very often the names of Members proposed are the names of those who oppose the measure and sometimes even the names of those opposing are omitted. The names of Members who oppose a measure should be proposed for the select committee on that measure so that they may criticise it. There is no use putting a member on a committee who says ‘ yes ’ to everything proposed. (Mr. R. Veerian :—Hear, hear.) Therefore, this aspect also must be considered in proposing names for the select committee.”

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* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ It must be remembered that, in regard to this Bill, there was no real opposition. There has been a certain amount of criticism, but when it was put to the vote, the House was unanimous in carrying it.”

The motion that the Bill be referred to a Select Committee with the addition to the committee of the name of Mr. Sami Venkatachalam Chettiyar was put and carried.

* The hon. the PRESIDENT :—“ I appoint the hon. Khan Bahadur Muhammad Usman Sahib as Chairman of the Select Committee.”

* The hon. the RAJA OF PANAGAL :—“ Mr. President, I should like to have the consideration of the Madras Local Authorities Entertainments Tax Bill taken up before the other items on the Agenda are taken up. I had a talk with the hon. Member in charge of the Village Officers Restoration Bill and he is agreeable to this course.”

* The hon. the PRESIDENT :—“ As it is a deviation from the list of business, I should like to ascertain from the hon. the Leader of the Opposition whether he is agreeable to this course.”

* Rao Bahadur C. V. S. NARASIMHA RAJU :—“ I have no objection.”

* The hon. the PRESIDENT :—“ Then we will go on with the Local Authorities Entertainments Tax Bill.”

The House adjourned for lunch at 1-25 p.m.

After Lunch (2-30 p.m.).

III

THE MADRAS LOCAL AUTHORITIES ENTERTAINMENTS TAX BILL.

* The hon. the RAJA OF PANAGAL :—“ Mr. President, I beg to present the report * of the Select Committee on the Madras Local Authorities Entertainments Tax Bill, and to move—

‘ that the Bill be taken into consideration ’.

“ The Bill has been considered by the Select Committee and some changes have been made and these changes have been referred to in the report.

“ Sir, tax on amusement is at present leviable by the Provincial Governments for provincial purposes. It is proposed that taxes on amusements may also be levied by the local authorities. On account of their slender resources and of the consequent need for grants from Government, the Government have been considering the necessity of strengthening the financial resources of local bodies. Various proposals have been made and one of them is the proposal to levy taxes on amusements. In 1918, a Committee was appointed to consider the financial relations that should subsist between the Government and the local bodies and to lay down the principles of the Government’s policy in giving financial assistance to local bodies. That Committee—I mean the Financial Relations Committee—has recommended that local bodies should be enabled to levy taxes on amusements. Government have considered the possibilities of such taxes being

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levied by Provincial Government for the benefit of local bodies and eventually decided to legislate to enable local bodies to collect tax on amusements, and have therefore brought forward this Bill. It must be said that local bodies are interested in getting as much revenue as possible without subjecting those who seek amusements to great inconvenience. In these circumstances, I have much pleasure to request the House to have the consideration of the Bill taken up."

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—" I second it."

* The hon. the PRESIDENT :— ' It has been moved that the Madras Local Authorities Entertainments Tax Bill as reported by the Select Committee be taken into consideration.

" I have received notice of an amendment given by Mr. Satyamurti and I suppose that the hon. Minister has also received notice of the same."

* The hon. the RAJA OF PANAGAL :—" I have no objection to the amendment being considered."

Clause 1 of the Bill was put, passed and added to the Bill.

Clause 2.

Mr. S. SATYAMURTI :—" Mr. President, I am sorry for having given notice of the amendment just now, but I hope it will not inconvenience the Members of the House in any way. I shall just read the amendment. It is a very simple one and I hope hon. Members will not find it very difficult to follow the same. The amendment which I wish to move is this : that in sub-clause (7) of clause 2 the word ' means ' be substituted for the word ' includes ' and at the end, the words ' and shall include proceeds of betting at the totalizators ' be inserted. Sub-clause (7) as amended will read thus :— ' Payment for admission means any payment made by a person in a place of entertainment and shall include proceeds of betting at the totalizators."

" The subject matter of my amendment is not new to this House. Hon. Members will notice that, in paragraph 8 of the report of the Select Committee, this is what the Committee says on this matter. The Committee were of opinion that provision should be made to tax the proceeds of betting at the totalizators and that such proceeds should be credited to the funds of the local authorities. When the Local Government were unwilling to do this, it was pointed out to them that such proceeds might not be a source of income to the local bodies. I think the paragraph speaks for itself. The Local Government may be unwilling—a very powerful argument against accepting my amendment. The Local Government cannot dictate to us that because they are unwilling that the local authorities should have the benefit of taxing betting at the totalizators, the Council shall not have the opportunity of considering and voting upon this question. As regards the reasons for this amendment, I shall state them very briefly. The object of this Bill, as the hon. the Minister stated in his short speech, is to enable the local bodies to supplement their sources of income in these and other ways and thus enable them to meet the increasing needs of municipal services such as the improvement of the roads, improvement of water-supply, etc. I want the hon. the Minister to be consistent and to follow up that creed and place in the hands of two bodies—I believe the Madras Corporation and Saidapet Municipality or

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the District Board of Chingleput—all the taxes which may arise from the proceeds if they are taxed, of betting at the totalizators of the horse-racing which goes on at Guindy. By this amendment, I do not mean that it will act as an embargo on betting or on those who resort to betting. That stands on its own merits. Simply, I am suggesting to my hon. Friends in this House that so long as betting on horses in the horse race at Guindy goes on, the proceeds arising from the totalizators may be taxed. I suggest that the Madras Municipality and the Chingleput District Board or the Saidapet Municipality in whose jurisdiction this betting takes place have a moral right to a share of these proceeds. I suggest, Mr. President, if this amendment is accepted, and if the Corporation of Madras and the District Board of Chingleput were to come to an adjustment between them as to the division of the proceeds, it will add very much to the resources of the Corporation and the District Board of Chingleput. I may assure, Mr. President, as a citizen of Madras you should have noticed, as I and other Members of this House have noticed, that the Corporation of Madras has been very much in need of more money for repairing their roads, and improving their water-supply and how glad we would be if we were able to get a share of these proceeds. Therefore, the money is wanting and when money can be got and last of all this tax will not affect any man adversely, I say that we should tax the proceeds of the totalizators. It is only taxation in that sense that we contemplate in this Bill. We are taxing only luxuries. I consider racing as a luxury. Betting on race horses is a luxury of luxuries, and it is leviable on financial and ethical grounds. Besides, it will add to the resources of the local bodies which stand in need of help. For these reasons I suggest that, if this amendment is accepted by the hon. Minister and approved by the House, it will go a long way towards on the one hand augmenting the resources of these bodies and on the other discouraging too much of betting. If this amendment is given effect to, it will prevent people from going to races and betting their money on horses with a desire to earn their fortune by one off-chance and by a fluke at another's expense. That is an illegitimate process. I therefore suggest to the House that the State and the local bodies should come in for a share of this betting. With these few words, I commend the motion for the acceptance of the House with the hope that it will not meet with any opposition."

Mr T. Adinarayana Chettiyar seconded the amendment.

* The hon. the RAJA OF PANAGAL :—" Mr. President, I am sorry I have to oppose this amendment. The question of taxing betting was considered at length at the Select Committee stage and it was decided that an amendment of the kind proposed by the hon. the Mover should not be introduced. As a matter of fact, it was considered that if betting should be taxed the benefit of it should go to the Provincial Government and not to the local body concerned. Besides, I think, if we have to introduce this amendment, we may have to obtain the sanction of the Government of India, and I do not think at this stage we can obtain that sanction.

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"The attempt that has been made in introducing this amendment is simply to thwart the passage of the Bill. In these circumstances, I am very sorry I have to oppose the amendment."

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* **Mr. SAMI VENKATACHALAM CHETTIYAR** :—" I heartily endorse the views expressed by the hon. Member for the University. The amendment is sought to be introduced to raise the question whether the surcharge on betting and totalizators will be regarded as one of the amounts upon which this tax can be levied. It was because there was a prospect of getting a large amount of money, hon. Members on this side of the House consented to the passage of the Bill to the next stage. At the Select Committee stage, we raised the question. It was said that the Government of India would raise objection. I do not know whether any official reference was made at that time either to the Government of India or to the Cabinet of the Local Government to ascertain whether they are willing to transfer this revenue to the Local Government. I do not think the Government of India would have objection to transfer this source of revenue to the Provincial Government in so far as they have done so in the case of the Bengal Government. The Bengal Amusements Act enables that Provincial Government to levy tax upon betting and totalizators. The circumstances here are different. In Bengal, probably the municipalities and local bodies are so wealthy that they do not require the money from these taxes. As the hon. the Minister for Local Self-Government has said the local bodies here are very poor and their sources of revenue ought to be augmented. It therefore rests with the hon. the Minister to transfer this head of revenue to the municipalities. Without this revenue, I do not think any municipality will be able to gain any appreciable amount of money. I quite realize that under the definition of entertainment is included sport which, according to the hon. the Advocate-General, includes the race course as well. I am afraid that the provisions of this Act cannot be applied to the proceeds on betting and upon the proceeds on the totalizators. These proceeds are of considerable value. We can, of course, levy tax on the surcharge of tickets. In addition to the betting, in the race-course itself there have arisen a number of bucket shops in the City of Madras where betting of the same kind as takes place in the race-course, is going on. There does not seem to be any provision either in the City Municipal Act or the Local Boards Act to enable the local bodies to levy tax upon these bucket shops. I know that these bucket shops have come into existence only recently. If the hon. the Minister for Local-Self Government thinks that these shops also might be included within the purview of this Act, I shall certainly be much obliged and so long as the Government of India raise no objection to the transfer of this head of revenue to the Local Government, inasmuch as they have done so in the case of the Bengal Government, it only requires a very generous heart on the part of the hon. the Minister to transfer this revenue to the local bodies. He realizes more than anybody else that the local bodies are very poor, and that any small income that they get by way of licences, surcharge on liquors, etc., is appropriated by the Local Government. At least as compensation to that appropriation, I request the hon. the Minister to force upon his colleagues on the Reserved Side to consent to the transfer of this head of revenue to the local bodies."

Srinan SASIBHUSHAN RATH Mahasaya :—" The hon. the Minister said that, if we were to accept the amendment, the sanction of the Government of India would be necessary and I find that the statement is not correct. If you look to page 182 of the Madras Legislative Council Manual you will see that a tax on any form of betting or gambling permitted by law can be imposed. So that objection does not stand. This is a very good provision which we should include in this Bill."

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Rai Bahadur T. M. NARASIMHACHARLU :—" I am sorry I have to oppose this amendment. I put the ground for doing so on a higher and moral ground. It may be that the local bodies may be poor. It may be that they may not be able to make both ends meet. But I submit, Sir, let them not add to their sources of income this sinful source of making revenue by encouraging betting and totalizing. Already people are ruined. On this side of the House, the cry is very loud day after day that the races have ruined many people. I submit, Sir, we shall not be a party to making any revenue out of such sinful and immoral sources. That is the ground on which I oppose the amendment. We have imposed tax on drink. I consider it immoral. Let us not add one more immoral source of revenue from which we derive our income. The local bodies do not want this immoral revenue. On this moral ground I oppose the amendment."

Mr. A. RAMASWAMI MUDALIYAR :—" I beg to oppose the amendment on a very short ground. My hon. Friend, the learned Member for the University, spoke of the proceeds out of this tax going to the Madras Corporation. I do not see wherein the Madras Corporation comes in at all. I can understand the Saidapet Municipality and the District Board of Chingleput claiming a share. There is no right on the part of the Madras Corporation to claim any portion of it. I should think. . . . "

Mr. S. SATYAMURTI :—" A matter of personal explanation, Sir. I think, Sir, my hon. Friend has read the Bill. Clause 3 says 'where the place of entertainment is situated in the local area of one local authority but within five miles of the local area of another local authority'. So that Guindy is within five miles of the municipal limits of Madras."

Mr. A. RAMASWAMI MUDALIYAR :—" I was objecting to the tax being levied and utilized by any of these local bodies. So far as the Guindy race-course is concerned, the tax on betting and totalizers proceeds is an amount that should go to the Provincial revenues and I do not think it is fair to allocate that amount between the local bodies that are very indirectly and very remotely concerned with the totalizers and betting. In fairness to the Madras Race Club, I may mention to this House that last year the Race Club paid 11 to 12 thousand rupees to the Saidapet Municipal Council to enable that Council to have their roads in a form which will make it possible for the vehicles from Madras to pass through for the races."

* Mr. SAMI VENKATACHALAM CHETTIYAR :—" We have not received anything."

Mr. A. RAMASWAMI MUDALIYAR :—" Nor is my hon. Friend entitled. The Madras vehicles pay him for keeping the roads in a bad condition. The amount has to go to the Saidapet Municipal Council. The Saidapet Municipal Council jumped up and claimed that they should get something for the additional wear and tear of the roads and the Madras Race Club came forward and gave voluntarily a sum of 11 to 12 thousand rupees. I object to the tax on this entertainment being given to any local authority which is not specifically concerned in one manner or other with the people who are attracted to it or the persons who bet or those who take part in the totalisators. On these grounds that it is of a provincial character and that the proceeds should go to the Provincial revenues, I oppose the amendment and it is out of place in a Bill which deals with Local Bodies Entertainments Tax."

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* Mr. C. V. VENKATARAMANA AYYANGAR :—“ I have heard the story of a husband and wife quarrelling as to the name to be given to the baby that may or may not be born. The question now is whether the tax should be levied or not. Before that is settled we are considering the question to whom the proceeds should go. We will first of all decide whether the tax should be levied or not, and then we can decide to whom it should go. We should be very glad if the race is completely put an end to, so that poor people cannot be tempted to go there. If it cannot be done, then there should be some restriction placed in the way of their temptation. The imposition of a tax is one way of restricting the temptation, in the same way as the tax levied to prevent drinking. The object of this amendment is, first of all, to levy a tax to prevent the gambling at the races which is a curse to the poor people. I do not think any speaker who has been eloquent over this subject said a word objecting to the levy of this tax. The hon. Member from Cuddapah waxed eloquent as to whether the tax should go to the local bodies or not. If they do not want it, let them by all means give it to some other person. The hon. Member for Chingleput did not say a word against the levy of the tax. He only said that it should go to the Provincial revenues.”

Rai Bahadur T. M. NARASIMHACHARLU :—“ I do object to the levying of the tax on the ground that it is immoral.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ The better way is to put down the immoral practice. To allow the races to go on in the streets of Guindy and to say that we should not levy the tax seems to be absurd. It is all right if they say ‘ put an end to the gambling and to the races. Then we shall unanimously vote for it.’ It is not right to allow gambling to go on with absolutely no check whatever. It would be satisfactory, if the races are put an end to. My hon. Friend from Cuddapah says there are many immoral things in the world. But he does not want to check them, because he says that the imposition of tax on them is immoral. I do not think his remarks are relevant at all.

“ The hon. Member for Chingleput did not object to the levy of a tax on this race-course. I am sure he objects to the races as much as myself. So far as the poor people is concerned, these races should be put an end to. The imposition of the tax is one way of checking the race-course. I do not think the hon. Member from Cuddapah will have any objection to check the races. The question now is whether at least one portion of this amendment should not be accepted. So far as I am concerned, it does not very much matter whether the tax goes to the Corporation of Madras or to the Provincial Government. When the District Board of Chingleput is not able to meet its expenses, the hon. the Minister gives some bounties to it. The Madras Corporation also gets bounties from the Government. It is not a question now to whom the proceeds should go, because after all there is no harm in all of them sharing it. If the Government want that a share of this income should be given to the Corporation and the Saidapet municipality, there is no reason why we should object to it. It is not said by the hon. Member from Chingleput that the large number of conveyances that have to go to Guindy from various parts of Madras do not affect the roads in the metropolis. They must to some extent have the money since they would have to 3 p.m.

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spend some more money on the roads. There is no reason why the Corporation of Madras should not get a portion of it. The principle is that tax should be levied on the race-course. It was piously wished by every hon. Member of the House and they said that they would welcome the Bill, if it would lead to the possibility of some tax being levied on the races. It is not fair to say that it is not moral, it is untouchable and so on. Let us first of all carry this amendment through and then let us discuss as to whom the money should go and what portion of it must go. To some extent it will help the provincial revenue also."

* Mr. T. N. VENKATARAMA SASTRIYAR :—"Sir, there is a legal difficulty which I wish to mention for the consideration of this House. The hon. Member Mr. Sasibhushan Rath referred to the Scheduled Taxes Rules at page 182 of Volume 1 of the Legislative Council Manual, where in item 3 is referred to 'A tax on any form of betting or gambling permitted by law'. I ask the attention of the House to rules 2 and 3.

"Rule 2 says that

'The Legislative Council of a province may, without the previous sanction of the Governor-General, make and take into consideration any law imposing, for the purpose of the Local Government, any tax included in Schedule I to these rules.'

"It is only in that list that we have got the item, viz., 'A tax on any form of betting or gambling permitted by law,' and also 'A tax on amusements'

"In rule 3, we find that

'The Legislative Council of a province may, without the previous sanction of the Governor-General, make and take into consideration any law imposing or authorizing any local authority to impose, for the purposes of such local authority, any tax included in Schedule II to these rules.'

These taxes are not in Schedule II. If it is a tax on amusements, it will be a tax which the local legislature can levy for the purpose of the Local Government only and sanction has presumably been taken from the Governor-General only for this Bill. If we want the tax to be levied for a local authority, we shall have to take the sanction of the Governor-General under section 8-A (3) of the Government of India Act which says that

'The local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law imposing or authorizing the imposition of any new tax, unless the tax is a tax scheduled as exempted from this provision by rules made under this Act'

"The Scheduled Taxes Rules should be understood to authorize the levy of a tax falling under Schedule I for the Local Government and under Schedule II for the purpose of the local authority. If you want to raise a tax for the Local Government out of Schedule II, or if you want to raise revenue for the local authority out of items in Schedule I, you require the sanction of the Governor-General. It is on that ground that sanction has been obtained to levy a tax on amusements for the purpose of the local authority which these Scheduled Taxes Rules do not permit without the previous sanction of the Governor-General. Tax on amusements (item 5), for which sanction has been obtained from the Governor-General, is quite different from a tax on any form of betting or gambling permitted by law (item 3). If you want to levy a tax on betting or gambling permitted by

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law, you will have to bring forward another Bill after obtaining the sanction of the Governor-General; and it has not been done. Section 80-A (3) of the Government of India Act prohibits the Local legislature from making or taking into consideration any Bill raising revenue out of items out of which it is not permissible for the Local Legislature to raise revenue except with the previous sanction of the Governor-General. I think that a tax on betting, etc., which is what the new amendment proposes to include, is not a tax on amusements which this Bill wants to introduce. We require the previous sanction of the Governor-General before we can make or take into consideration any law relating to that."

Mr. S. SAIYAMURTI:—"Sir, on the point of law raised by the Advocate-General, I have to say this. I agree with him with regard to Schedules I and II. This House has no power to levy a tax for the purpose of the local authorities concerned on any form of betting or gambling permitted by law. But I want you to look at section 80-A (3) of the Government of India Act. I do not seek to justify my amendment under either Schedule I or Schedule II of the rules made by the Government of India Act; because this Bill is one introduced with the previous sanction of the Governor-General, the whole argument is irrelevant. We have got to rely merely on section 80-A (3) of the Government of India Act. What does it say? It says that 'the Local Legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law imposing or authorising the imposition of any *new tax*'. My humble submission is that this Bill seeks to impose a *new tax*. It need not be specified. My hon. friend the Advocate-General very cleverly—but, I am sorry to say, not with the authority which I should like to associate with interpretations of law coming from that eminent source—tried to confuse the issue by saying that the word 'tax' in section 80-A (3) might be construed in the light of the various heads of taxes specified in Schedules I and II. I do not see why a distinction should be made between taxes on any form of betting or gambling and taxes on amusements, and the previous sanction of the Governor-General should be sought. When the Government of India accorded sanction, it must be presumed that as of necessity sanction was asked for for the levying of a new tax. To say that the sanction was for the levying of a tax on amusements and not for the levying of a tax on any form of betting permitted by law is a very ingenious argument. It is unsound. The phrase used in the Act is, 'authorising the imposition of any new tax'. The Bill has been introduced in the House with the object of including the imposition of all new taxes. I say, 'Impose this tax also on amusements and on betting and gambling.' To say now that that includes only the taxes on amusements such as the admission fees and does not include the proceeds of the betting and the totalisators is to qualify section 80-A of the Government of India Act by rules made thereunder which no rules made under the Act can do. These rules cannot certainly derogate from the authority of the clear wording of the Act. Previous sanction has been given to this Bill to levy a new tax. So long as my amendment is merely for the purpose of enabling this House to discuss the question whether we should tax betting or not and so long as it is a new tax, it is valid. On the other hand, I suggest that the very argument of the hon. the Advocate-General helps me. Because a tax on betting is included in the

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rules we may discuss my amendments. Unless the hon. Member, the Advocate-General, says that he has got some clairvoyant knowledge that the sanction of the Government of India was given not for the purpose of taxing betting or gambling but only for the purpose of taxing amusements, I submit his point is invalid.

“One more submission, Mr. President. This thing comes up often. The Government of India give sanction to a certain Bill sent by the Madras Government. Immediately we send in amendments the Government turn round and say that previous sanction is required for them. I submit this is a matter on which I should like to have your considered ruling. When taxation measures are brought into this House by the Government with the previous sanction of the Governor-General, amendments to such measures by way of enlarging them here and restricting them there are given notice of by us. Are they to be ruled out, Mr. President, because of the want of previous sanction? Then what will be the nature of the measure? When it comes to this House it will be reduced to the position of saying ‘Yes’ or ‘No’ and we cannot at all move substantial amendments. This is very far from the object of the framers of the Act and the rules, that the House should be so restricted in the exercise of the very important power on some of the most important Bills likely to come up before the House. I submit this point to you, Sir, for your careful and considered ruling.”

* Mr. R. SRINIVASA AYYANGAR :—“Sir, I should like to draw the attention of the House to the proviso to section 80-A of the Act.”

* The hon. the PRESIDENT :—“That would not help the hon. Member.”

* Mr. R. SRINIVASA AYYANGAR :—“I wish to say that there is no reason why we should not be allowed to make these amendments.”

* Mr. T. R. VENKATARAMA SASTRIYAR :—“Sir, with reference to the point raised by the hon. Member for the University, I wish to say that even if I took it to be a tax on amusements and not a separate head of taxation, my hon. Friend would require the sanction of the Governor-General, before we take it into consideration. I think the hon. Member himself was aware of the difficulty and therefore suggested for your consideration the question whether amendments would require the sanction of the Governor-General, and whether a Member who gives notice of an amendment extending the scope of the Bill by including any item should be called upon to produce the sanction of the Governor-General before he moved the amendment to a Bill which requires sanction under section 80-A (3) of the Government of India Act. When the Bill is sent up to the Governor-General with all the details the Governor-General takes into consideration all the items before he gives his sanction to the Bill.”

Mr. S. SATYAMURTI :—“On a point of information, Mr. President. Does the hon. the Advocate-General suggest that besides the various clauses of the Bill, any other details are sent to the Government of India?”

* Mr. T. R. VENKATARAMA SASTRIYAR :—“That is a point on which perhaps other people might be able to supply him with information. I have not myself seen applications for sanction made to the Government of India. I shall take it that no other information accompanies except the Bill. Still, the Governor-General has before him all the items in regard to which the tax is sought to be levied and in regard to which sanction is

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sought for. I suggest it is an independent head of taxation that is sought to be introduced. But, I shall assume for a moment that it is not under another head and that it may be brought under the same head. If a new item is proposed to be included as a head of taxation, then I should say ordinarily that the item is not one which was before the Governor-General to which his mind was applied or which was included in the sanction given to the Bill. If a new item, therefore, is brought into the Bill, the persons who give notice of the amendments, I know, have been called upon in the past to obtain the sanction of the Governor-General and have in many cases, I think, obtained such sanction. I think it is only during the last sitting of this Council that we had a question as to whether sanction had been obtained for particular amendments and members who had given notice of the amendments produced the sanction which they had obtained from the Governor-General. I submit that section 80-A(3) which says :

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‘The local legislature of any province may not, without the previous sanction of the Governor-General, make or take into consideration any law imposing or authorizing the imposition of any new tax’

would include cases where a new head of taxation is sought to be introduced in the case of a Bill which includes only other heads of taxation.”

Mr. S. SATYAMURTI :—“ May I ask the hon. the Advocate-General, apart from rules which I submit are irrelevant, where does he get this new idea of a new head of taxation, from the Government of India Act, section 80-A (3), which is the governing section ?”

* Mr. T. R. VENKATARAMA SASTRIYAR :—“ I am getting it from the very language of section 80-A (3) itself. The sanction of the Governor-General is required for a new tax. What is a new tax except a tax on new items on which it is proposed to levy. A tax with reference to certain scheduled amusements or entertainments in an Act is a tax in reference to those items. Then, what have we got in the head included in the original section which was forwarded to the Government of India where heads of entertainments were given ? At any rate, Sir, I can say this, and for that I cite my friend himself as an authority. The Bill which was originally sent is one which did not include this particular item. It is because that item was not included in the original Bill that we have got an application for entertaining an amendment before this Council. That certainly is bringing in a tax which was not included in the original Bill forwarded to the Governor General and sanction obtained therefor. If that is so, it is really a tax on an item which was not submitted for sanction to the Governor-General with reference to which his mind was not applied and with reference to which no sanction was given by the Governor-General.”

* The hon. the PRESIDENT :—“ The point raised by the Advocate-General is a point of order and I wish that it had been raised a little earlier during the course of the discussion. But a point of order may be raised at any time, and with regard to that point, I think the determining consideration is the letter received from the Government of India in regard to this matter. When an application was made that a tax on any form of betting or gambling permitted by law should be included in schedule II and the Government of India in their reply definitely stated that they would not consider any such application until justification on grounds applicable to the whole of

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India should be put forward and they were of opinion that such justification could not be established, it is clear that the Government of India considered the question whether a tax on any form of betting or gambling permitted by law should be included in Schedule II and that they have decided against any such inclusion. Therefore, in view of this evidence in regard to the mind of the Government of India, I am afraid I must rule this amendment out of order."

MR. S. SATYAMURTI :—" I accept the ruling, Sir; but in view of the importance of the matter, may I ask for information as the Advocate-General was just now saying that no application was made to the Government of India regarding the tax on betting, as to in what connexion the Government of India replied and said that they cannot give sanction to a Bill imposing a tax on betting? I should like to know, if it is not in this connexion, in what connexion it was obtained "

* MR. C. V. VENKATARAMANA AYYANGAR :—" The Government of India said nothing about the definition of 'entertainment' in the preamble. 'Entertainment' is defined to include 'any exhibition, performance, amusement, game or sport to which persons are admitted for payment'. Therefore, the Government of India had no objection to the definition of the word 'entertainment' under which certainly this will come and also in the preamble 'Amusements and other entertainments'. Whereas the previous sanction of the Governor-General has been obtained to the definition and to the preamble, it does not matter whether any reference is made to the definition in the letter from the Government of India of the word 'entertainment' in the Act or in the preamble."

* The hon. the RAJA OF PANAGAL :—" May I submit, Sir, that the Bill was submitted to the Government of India and the Bill as it was submitted did not include betting? How can we presume sanction to betting being made taxable."

* MR. C. V. VENKATARAMANA AYYANGAR :—" Under the preamble, the local Government can extend this to any entertainment. Under the definition of 'entertainment' this will include gambling also."

MR. S. SATYAMURTI :—" Your statement is conclusive, Sir, with regard to the Government of India; but I want information only as to in what connexion, in view of the Advocate-General's statement now repealed by the Minister, the hon. the Raja of Panagal, that no application was made in regard to betting, the Government of India became seized of the matter and . . ."

* The hon. the PRESIDENT :—" The reply says,

'With reference to your letter No. 820, dated 27th March 1924, forwarding a copy of the Madras Local Authorities Entertainments Tax Bill, I am directed to state' and so on and so forth."

MR. S. SATYAMURTI :—" Please let me have the letter, Sir, of the Government of India to this Government."

* The hon. the PRESIDENT :—" It has not been placed on the Editors' table."

MR. S. SATYAMURTI :—" My point is this. It is just possible that in addition to this Bill, the Government may have made some other suggestions."

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* The hon. the PRESIDENT :—"The letter mentions this Bill particularly."

Mr. S. SATYAMURTI :—"I should like to have that letter, Sir, if really the statement now made by a Minister of the Crown and the Advocate-General that no application was made for a Bill of tax on betting is correct. I should like to know, Sir, unless the Government of India went out of their way to give the answer, how they came really to say that we cannot have a tax on betting. We must have some more knowledge before we can construe the sanction in the light of that."

Sriman SASIBHUSHAN RATH Mahasaya :—"When the Bill was first introduced, Sir, the question of betting came also into discussion. It may be that the Government have applied for sanction and have been in correspondence with regard to that item. It may not refer to this Bill, but it may be a separate correspondence altogether."

* The hon. the PRESIDENT :—"That point can be gone into at leisure. As there are no other amendments, I will put the whole Bill to the House, as reported by the Select Committee."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, in the circumstances which are now fairly before the House, I think this is a fit case in which the further consideration of the Bill might be adjourned. I will state my reasons. It will be found that this question was considered by the Select Committee on this Bill. Paragraph 8 of the report is to the following effect :

'The Committee were of opinion that provision should be made for the levy of a tax on betting and on totalisators and for the proceeds of such levy to be credited to the funds of the local authorities. But it was pointed out to them that the Local Government were unwilling to allow such proceeds to be made a source of local revenue'.

"Now, Sir, the question regarding the levy of a tax on betting did not specifically proceed to the Government of India for a specific ruling. No doubt the whole Bill was referred to them and they might have given their opinion from what has been placed before them in the course of the correspondence, but though the Select Committee were of opinion that provision should be made for the levy of a tax for reasons stated in paragraph 8 of their report, that question was not gone into. In view of the ruling that we cannot go into the question, I would now move that the further consideration of the Bill may be postponed to enable a further reference to be made to the Government of India so that this point may be finally decided. If there is any special urgency about the Bill, if the passing of this Bill is going to get a large amount of revenue to the local authorities, I as one interested in the development of the local authorities, would not postpone the consideration of this Bill. But, Sir, even the passing of this Bill into law would not add to the resources of the local authorities to such a substantial extent that the postponement of it for a short time would hamper them in the administration of their affairs. This Bill has been under consideration for a long time and even after it was published in July 1924, though it is a small Bill, we have been proceeding with it in a leisurely manner for nearly two years and a further delay of a few months would not seriously disturb the business of these local authorities. Therefore, Sir, in order to enable a prompt representation to be made to the Government of India and a definite decision being arrived at in regard to this question, I move that the further consideration of this Bill be postponed to a future date."

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Mr. P. ANJANEYULU :—" I second it. In the meanwhile, I submit that the Government will be pleased to address the Governor-General, because it is only on this point, namely, that the previous sanction has not been obtained to include gambling and betting that much discussion seems to have taken place and if the Government is not willing to address the Governor-General on this point, it may be given to any hon. Member to obtain the previous sanction to make such amendments as may be necessary to include gambling and betting also "

* The hon. the PRESIDENT :—" It has been moved and seconded that the consideration of the Bill to enable local authorities to impose a tax on amusements and other entertainments be postponed to the meeting to be held in June."

* The hon. the RAJA OF PANAGAL :—" I oppose the motion for adjournment. My hon. Friend from Nellore gave as his reason for making this motion that if the consideration of the Bill is adjourned, there may be time for the Government to address the Government of India for sanction for the levy of a tax on betting. Either the Government of India may give sanction or may not give sanction. If the consideration of the Bill is delayed, it may not be passed in the lifetime of this Council."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Only a correction, Sir. There is a statement in paragraph 8 of the report :

' But it was pointed out to them [that the Local Government were unwilling to allow such proceeds to be made a source of local revenue'.

" I do not know if the Government have changed their opinion now."

* The hon. the RAJA OF PANAGAL :—" Either the Government of India may be willing or may not be willing to give sanction. If the Government of India are willing, it is quite open to any hon. Member to introduce another Bill. But if, on the other hand, they are not willing, by putting off the consideration of the Bill, what little financial help may be available will not be available to the local bodies. In fact, my hon. Friend said that they may not give much revenue to the local bodies. On the other hand, Sir, most of the conferences of the local bodies were particular to have this Bill passed as early as possible. In these circumstances, I think no good purpose will be served by adjourning the consideration of this Bill."

Mr. S. SATYAMURTI :—" I thought, Sir, when my amendment was opposed by the hon. the Minister and his Friends, that the idea was this : that they were quite willing on the merits to vote with me, but that on the other hand they felt that with regard to the body which benefits by the proceeds of that tax, they had some doubts and that, in any case, this is a matter on which there was not very violent difference of opinion."

* The hon. the RAJA OF PANAGAL :—" May I point out, Sir, that, in the very first remarks I made, I said that, in case we are to introduce this amendment, we will have to get the sanction of the Government of India? It is not on the merits alone that we opposed, but we also opposed on the ground that in case it is to be introduced we will have to obtain the sanction of the Government of India."

3-30
p.m.

Mr. S. SATYAMURTI :—" I am saying that exactly. My point is this. The only point that I wish to make is this. If really this amendment was an amendment which is the considered opinion of the Government, apart

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from what is just now said, namely, the rule requiring the sanction of the Government of India, I should have expected them to put it in paragraph 8 of the Select Committee's report. I complain, Sir, that that paragraph misled me. On the other hand, had I been told so that this could be done, only if the sanction of the Government of India was obtained, I would have taken care to write to the Government of India and obtained their sanction. But what is the actual position? Paragraph 8 of the report says: 'The Committee were of opinion'—the whole Committee including the hon. the Raja of Panagal met to consider the levy of a tax on betting and on totalisators and the proceeds of such levy being credited to the funds of the local authorities. I am drawing the special attention of my hon. Friend there below the gangway (referring to Mr. Ramaswami Mudaliyar) who was also on the Committee, to this paragraph. The Committee, I may say here, consisted of yourself, the Advocate-General, Diwan Bahadur M. Krishnan Nayar, Mr. Abdulla Ghattala Sahib and Dr. Natesa Mudaliyar. All the Members or a majority of them agreed that there should be a tax and that the proceeds should go to the funds of the local authorities. And they added:

'But it was pointed out to them that the Local Government were unwilling to allow such proceeds to be made a source of local revenue'.

"I ask my hon. Friend whether I was wrong in assuming therefore that the real difficulty was the unwillingness of the Government and not the legal or the technical point. The Committee included my hon. Friend, the Chief Minister, and the hon. the Advocate-General. There was no idea at this stage that the previous sanction of the Governor-General was required. At any rate, they do not state it in this paragraph.

"Then, we go to the next stage. As you pointed out, and I respectfully agree with that, when I gave notice of the amendment, I did not give the ten days' notice required under the Standing Orders. And I therefore had written my letter to you begging of you to excuse the want of notice. And my hon. Friend, the Chief Minister, was good enough not to object to the amendment being taken up. I should have expected, Sir, especially when the Standing Orders vest in him the right to object to the amendment on account of the comparatively smaller ground of want of notice, the hon. the Minister to have chosen to object. But he has raised a larger ground that it is wholly out of order, because there has been no previous sanction. That being so, I submit that it is an after-thought. Now you have ruled it and we are all bound by that ruling. This Bill, my hon. Friend told us, is an enabling measure. It only enables local authorities to tax certain forms of amusements. Whether the local authorities will do it or not depends on their will. What will happen between now and June if this Bill is not passed to-day? There are heavy Bills, the Malabar Tenancy Bill, the Irrigation Bill and perhaps the Land Revenue Bill which, we hope, will come before the Council is dissolved. Therefore, we can have this Bill later on and sanction will be obtained for the amendment from the Government of India. Of course, if the Government of India refuses sanction, there is an end of the matter. I do not expect they will refuse. But in any case, a fair opportunity should be given to those who feel that betting and totalisators should be taxed, if local authorities are to be enabled to tax

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all forms of amusements and entertainments. It is a bona fide motion in order to enable the House to take a vote upon this question of taxing totalisators and betting in order to benefit the local authorities, so long as betting goes on. Of course if betting is stopped, nobody will shed tears over it, certainly not we. But so long as it goes on, the local authorities can come in for a share of it. I do trust that this motion for adjournment will be carried in order to give, what I know, a minority in this House, an opportunity of bringing before the House in the proper form and at the proper time a reasonable amendment. It may be defeated. But that is not the way in which the majority should behave to a minority. We are in a minority. Please do not take shelter behind technical want of sanction and the like. Play the game and play it straight and let us take the sanction and bring the amendment again."

Mr. A. RAMASWAMI MUDALIYAR :—" I only want to draw the attention of this House to the minority and the majority playing the game straight. Here is a Bill which has been before the Council for several years. The Select Committee report has been in the hands of hon. Members for several months. The Bill ought to have been taken up long ago. No member on the side of the Opposition thinks it fit to give notice of any amendment, somehow or other. Even the hon. Member for the University has not given notice of any amendment. At the last moment to spring a surprise on the House, on the Members of the majority is it, as he calls, playing the game straight? Who plays the game of giving his amendment literally not even on the eleventh but on the twelfth hour, at 2-30 p.m. to-day? We are suddenly surprised with this notice of an amendment. The Chief Minister waives notice. That is not playing the game. A Member gives notice of an amendment very late and the Minister waives notice, and takes the objection in his very first speech that the amendment would need the Governor-General's sanction. That also is not playing the game either. After we have referred to the rule, the hon. Member comes forward and says: 'let this be put off'. That is the minority's idea of playing the game. Whether they play the game in that manner or not, we certainly are not going to imitate the game. We have our own ideas of how to play and one of these ideas is to check the obstructive tactics and try to see that the business of the House goes on. I strongly oppose this motion."

* Mr. T. R. VENKATARAMA SASTRIYAR :—" Sir, I wish to say a word on this motion for adjournment. Before I do so, I confess, Sir, that I woke up to the point rather late. My only explanation for doing so is that the application for permission to move the amendment, as it has already been pointed out, came during the lunch interval. The hon. the Minister has referred to the fact of sanction having been obtained for this Bill."

Mr. S. SATYAMURTI :—" Apart from the time when the amendment was given notice of, it seems to me that even before, you are struck with this, that this idea was not present before the Select Committee who considered it and put it off on the irrelevant ground that the Local Government have been unwilling."

* The hon. the RAJA OF PANAGAL :—" It was quite open to any Member to bring any amendment."

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Mr. S. SATYAMURTI:—"I have done it."

* Mr. T. R. VENKATARAMA SASTRIYAR:—"The Select Committee put it out on another ground and therefore we did not examine the validity of it from this point of view. When the point was raised here, even then, I admit I did not look it up. I am making no complaint of the amendment having come late. I explain that it was only after the hon. the Minister referred to the fact of sanction having been obtained for the Bill and the necessity for obtaining the sanction for this amendment that I looked into the matter and brought it up. As the hon. the President remarked in the course of his ruling, that is quite enough so far as that part of the case of the hon. Member for the University is concerned. The application which I have just seen is an application under rule 4 of the Scheduled Taxes Rules, to add to Schedule II the head of a tax on amusements which was in Schedule I. That was the sanction accorded to by the Governor-General. And therefore, it becomes a Bill which can be taken to be under Schedule II and you can raise the tax for the local authorities. A tax on any form of betting or gambling permitted by law, another head of taxation under Schedule I has not been likewise transferred to Schedule II. The application that we have to go through hereafter in order to achieve the result desired by the hon. Member for the University will be to bring the tax on gambling permitted by law under Schedule II. I am not concerned now with advising in what form you should apply to the Governor-General for sanction. We have obtained the sanction to remove the head of a tax on amusements to Schedule II and the Bill proceeds on that footing. If hereafter sanction is obtained . . ."

Mr. S. SATYAMURTI:—"This is a somewhat important case on which there is altogether a *new* light now thrown. I do not know if you will pardon me saying that my hon. Friend says that sanction was not obtained for the Bill but for amending the Scheduled Taxes Rules so as to remove items from one schedule to another or to add to a schedule, which means that such rules do not require the previous sanction at all. I do not know what my hon. Friend means."

* Mr. T. R. VENKATARAMA SASTRIYAR:—"That, at any rate, is the way in which I understood the sentence. I am now apprised that it is a mistake. They refused to agree to the transfer of that head altogether to Schedule II, but only sanctioned this Bill. I am sorry I read the order wrong."

Mr. S. SATYAMURTI:—"Therefore, it is a sanction for the Bill."

* Mr. T. R. VENKATARAMA SASTRIYAR:—"Yes: that is so. This is what I have to suggest. If sanction is obtained for imposing a tax on any form of betting or gambling permitted by law, that, as a separate head, may be made the subject of another measure. The present Act which without any amendment is before the Council may be passed, as it would immediately furnish items of taxation available to the local authorities. It is not necessary that the tax which this Bill permits to be raised should be held up, until sanction is obtained to introduce another head under which we might raise a further tax for local authorities. If that sanction is obtained, that may be a subject of an additional Bill and that item will then be added to the items under which we raise taxes for local authorities."

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Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Before you put the motion, Mr. President, I may be permitted to make just a few brief remarks. This is not the first time that my hon. Friend, the Member for Chingleput, has begun his usual homily of saying that a motion for adjournment of consideration of a question is obstructive tactics. I believe, he would have considered twice if he used that expression in the light of the recommendations of the Select Committee, consisting of a majority of Ministerialists. The Select Committee expressly stated that their opinion was that provision should be made for taxing betting, and an attempt is made to achieve that object which was approved not only by the Minister but by the whole party ; do you call it obstructive tactics ? ”

Mr. A. RAMASWAMI MUDALIYAR :—“ On a point of personal explanation, Sir. I never said that that was obstructive tactics. I said that a motion to postpone the Bill without bringing an amendment at the proper stage, without having applied for sanction for the amendment, was, and I do characterize it emphatically as, obstructive tactics.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ This interruption on the plea of personal explanation is quite unjustifiable. I have not mis-stated my hon. Friend. I said that the object of the motion was to achieve that object. My hon. Friend evidently wanted to take another opportunity to give his harangue in his usual fashion. What I am submitting to the House is this. The attempt was to take such steps as might be necessary to take for the purpose of giving expression to the intention of the Committee. If that is the object underlying the motion, I think, Sir, no reasonable Member of this House can take exception to it. Sir, another point that I wish to make is this. The hon. the Minister for Local Self-Government in reply to a suggestion made by me that the matter is not very urgent, and that it is not likely to add a substantial income to the local bodies, said that many conferences had expressed themselves in favour of the measure, and that resolutions had been passed at some of the conferences, and that does not, by itself, lead to the conclusion that they are hopeful of deriving a large income from the measure. You know that the local bodies are trying their best to improve their resources. Any slight addition to their income they would willingly welcome. It is only with that object that some conferences have expressed themselves in favour of the measure. May I point out that if the Government thought that this was a matter of very urgent importance and that no time should be lost in giving effect to the measure, the various steps in the passing of the Bill could not have occupied so much time. It will be found that the Bill was published in July and August 1924. The Committee met on the 15th October, again in December 1924, and again on the 2nd February 1925. Then, Sir, the Bill consisting of twelve sections emerged from out of the Select Committee and came to be published on 25th November 1925. The Select Committee met thrice ; finished their deliberations by the beginning of February and it takes ten months and twenty-three days for the report being published. Is this a Bill of which it may be said that there is so much urgency that the local authorities are going to be starved from want of funds, if there should be no Bill ? I would then ask, even after the publication of the Bill, when was notice of the Bill being taken up for consideration given ? My hon. Friend, the Member from Chingleput, said that notice should have been given of this amendment not at the eleventh

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or the twelfth hour. I wish to know when notice was given of the intention to move for the consideration of the Bill. That notice was actually given to the Members of the House, it is my recollection, only a few days ago. I fail to see how notice could not have been given earlier, if it was intended that there should be a prompt publication and if it was to be a matter of urgent importance. The report of the Select Committee could have been got ready early in March and the Bill could have been passed last year, and even after it was published, there should have been no delay in bringing it before the House for consideration.

“For all these reasons, I would again appeal to this House to consider whether they are satisfied that there is so much urgency, so far as this matter is concerned, as to justify its being taken up and disposed of just at this meeting. I think, for all the reasons suggested, it is a very proper case in which the House would do well to give further time to consider this question to enable us to bring it up in proper form.”

3-45
p.m.

* The hon. Mr. T. E. MOIR :—“Sir, I am, of course, to a certain extent, interested in any Bill which proposes (laughter) to improve the resources of the local bodies, because I know well the extent to which their impecuniosity constitutes a drain on the resources of the Provincial Government. I have listened with great interest to the legal argument which has taken place as to the provisions which govern the introduction or the sanction to the introduction of Bills of this kind, but it seems to me, Sir, that, by your ruling, such questions were cleared out of the way and that the present motion for adjournment must depend not on any argument of that kind but on the practical benefits that are to be gained by adjourning this Bill. I take it that the hon. Member from Nellore accepts the Bill in so far as its present scope is concerned as a good Bill and one which is desirable, and as the report of the Select Committee has been apparently accepted by the House without a single amendment within the scope of the Bill, I take it that that is the general feeling of the House as regards the Bill in its present form. Now, Sir, I could understand the validity of a proposal for the adjournment of the further consideration of the Bill if it were necessary, in order that legislation might be proposed or carried dealing with the imposition of a tax on betting. But, Sir, is it the case—and I turn to the hon. the Advocate-General to give his opinion—that such legislation can only be introduced in the form of an amendment to this Bill? From the arguments used by the hon. the Advocate-General, I felt convinced that that was not the case. If it were the case that you could only bring in legislation for another purpose by incorporating it in the terms of this Bill, then it seems to me that the proposal for the adjournment of the further consideration of this Bill would be perfectly valid. But if it is the case that this Bill, which several hon. Members have admitted has been long overdue, can be introduced without in the least prejudicing the consideration of legislation for the imposition of a tax on betting, then it seems to me that there is no reason why this Bill should not proceed. On the other hand, it seems to me that to adjourn the further consideration of this Bill with a view to legislation of that kind, might prejudice the prospects of a Bill which, so far as I understand, every Member of the House accepts as desirable and one to which we ought to give effect.”

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* The hon. the RAJA OF PANAGAL :—" Mr. President, Sir, the hon. Member from Nellore in supporting his motion referred to the delay."

Mr. S. SATYAMURTI :—" On a point of order, Sir, though I do not want to prevent my hon. Friend the Minister from speaking, I want to clear up one matter. When you name a particular speaker and he waived his right to speak. . . ."

* The hon. the PRESIDENT :—" The hon. Member has not waived his right. He wanted to conclude the proceedings and he requested me to call him at the end."

* The hon. the RAJA OF PANAGAL :—" With reference to the delay which occurred in the progress of this Bill, I submit it was inevitable in the case of this Bill. Hon. Members are aware that after February the budget discussion takes place and till about the first week of April the Council will be engaged in the consideration of the budget. After that, the Government moves to the hills. Then, Sir, this Bill was ready about December this year. Unfortunately, however, we could not find a day either in December or in January. That is the reason why we have to take up this Bill in February. If we miss this chance, it is possible that it may not be taken up before June, and in July or August the Council may have to be dissolved. The result will be that we will have to wait for another year, which means serious loss to the local bodies. And I do not think that there would be any purpose served by delaying the Bill."

The motion for the adjournment of the consideration of the Bill was put to the House and declared lost. Several hon. Members demanded a poll which was accordingly taken and the House divided as follows :—

Ayes.

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| 1. Mr. S. Muttayya Mudaliyar. | 8. Mr. G. Rameswara Rao. |
| 2. " P. C. Venkatapati Iyaz. | 9. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 3. " S. Satyamurti. | 10. Srikanth Sasibhushan Rath Mahasayoo |
| 4. " T. Adinarayana Chettiyar. | 11. Mr. R. Srinivasa Ayyangar |
| 5. " P. Anjanayulu | 12. " K. Uppi Sahib. |
| 6. " C. Marudavanam Pillai. | 13. " C. V. Venkataramana Ayyangar. |
| 7. " V. Pantulu Ayyar. | 14. " Naganna Hegde. |

Noes.

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|-------------------------------------------------|-------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 20. Mr. P. K. S. A. Arumuga Nadar. |
| 2. " Mr. N. E. Marjoribanks. | 21. " N. Devendrudu. |
| 3. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 22. " A. Ramaswami Mudaliyar. |
| 4. " Mr. T. R. Moir. | 23. Diwan Bahadur P. C. Ethirajulu Nayudu |
| 5. " Diwan Bahadur Sir T. N. Sivagnanam Pillai. | 24. Rao Sahib P. V. Gopalan. |
| 6. " Rao Bahadur Sir A. P. Patro. | 25. Mr. L. C. Guruswami. |
| 7. " the Raja of Panagal. | 26. " J. Kuppuswami. |
| 8. Mr. T. R. Venkatarama Sastryar. | 27. " R. Madanagopal Nayudu. |
| 9. " F. B. Evans. | 28. Honorary Lieutenant Madurai. |
| 10. " G. I. Boag. | 29. Mr. T. Mallesappa. |
| 11. " V. Pandrang Row. | 30. " P. N. Marthandam Pillai. |
| 12. " F. Noyce. | 31. Rao Bahadur B. Muniswami Nayudu. |
| 13. " Abdulla Ghatala Sahib. | 32. Mr. C. Muttayya Mudaliyar. |
| 14. " S. Arpudaswami Udayar. | 33. " K. S. Ponnuswami Pillai. |
| 15. Rao Sahib P. C. Tangavelu Pillai. | 34. " B. Ramachandra Reddi. |
| 16. Capt. E. G. Windle. | 35. " P. Sagaram. |
| 17. Mr. E. A. Davis. | 36. Diwan Bahadur P. Kesava Pillai. |
| 18. " H. B. Ari Gowder. | 37. " M. Krishnan Nayar. |
| 19. Rao Bahadur C. Natesa Mudaliyar. | 38. Rao Bahadur P. Raman. |
| | 39. Mr. K. Sarvarayudu. |
| | 40. Rao Sahib R. Srinivasan. |

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Noes—cont

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| 41. Mr. K. Sitaramareddi. | 48. Mr. Haji Abdulla Haji Qasim Sahib. |
| 42. " Chavadi K. Subrahmanya Pillai | 49. " Muhammad Ghouse Mian Sahib. |
| 43. Diwan Bahadur K. Saryanarayanamurti
Mayudu. | 50. Khan Bahadur V. Hamid Sultan Marak-
kayar. |
| 44. Mr. R. Veerian. | 51. Mr. Qadur Muhi-nd-din Sahib. |
| 45. " K. Venkatachala Padayachi. | 52. " T. M. Moidu Sahib. |
| 46. Rai Bahadur T. M. Narasimhaacharia. | 53. " Abdul Wahab Sahib. |
| 47. Mr. T. M. Narayanaswami Pillai. | |

Neutral.

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| 1. Rao Bahadur C. V. S. Narasimla Raju. | 6. Mr. A. Chidambara Nadar |
| 2. Mr. C. Ramalinga Reddi. | 7. " C. Gopala Menon. |
| 3. Rao Bahadur T. A. Ramalinga Chettiyar. | 8. " K. Koti Reddi. |
| 4. Mr. J. A. Saldanha. | 9. " M. Sitayya. |
| 5. " A. Ranganatha Mudaliyar | |

14 hon. Members voted *for* the motion and 53 *against*, 9 remaining *neutral*. The motion was lost.

Clauses 2 to 12 both inclusive were put, passed and added to the Bill. The Preamble was then put, passed and added to the Bill.

* The hon. the RAJA OF PANAGAL:—" Mr. President, there having been no amendments, I beg to move that the Bill as reported by the Select Committee be passed into law. "

The hon. Rao Bahadur Sir A. P. Patro seconded the motion.

The motion was carried, and the Bill was passed into law.

IV

THE MADRAS VILLAGE OFFICERS RESTORATION BILL

* Diwan Bahadur M. KRISHNAN NAYAR:—" Mr. President, Sir, I wish to know from my hon. Friend, the Revenue Member, whether he is very particular about having the consideration of his Bill now or whether it may not be adjourned, say, to a date about the end of March or even to the 3rd of March. If that be not possible, we can have it on the 30th March immediately after the budget. If my hon. Friend, the Revenue Member, will agree, we shall all be obliged to him." 4 p.m.

(Voices : 'Not all. Not all.')

* Diwan Bahadur M. KRISHNAN NAYAR:—" A majority, at any rate—I and some with me. If it is not agreeable, I shall take the sense of the House by moving an adjournment."

* Mr. A. RANGANATHA MUDALIYAR:—" I wanted to say that all of us are really not for any postponement of the consideration of this measure. I hope the hon. the Revenue Member will also consider the importance and the need of its early consideration "

* The hon. Mr. N. E. MARJORIBANKS:—" I understood that I would be asked to agree to an adjournment till Monday. If so, I have no objection to that. If it is proposed that we should adjourn consideration of this Bill to some later date, I understood from the Leader of the House that there could not be found another day."

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* The hon. Sir C. P. RAMASWAMI AYYAR :—" I may say, Sir, it will be inconvenient to arrange for the consideration of the Bill which will take some time to discuss, until June or July. It cannot be done in the budget time."

Mr. A. RAMASWAMI MUDALIYAR :—" May I know whether it may not be possible to take it on the day the budget is presented? After the budget is presented, we can take the rest of the day for this, as it will not take a long time."

Mr. P. ANJANEYALU :—" May I know what reasons prompt hon. Members to have this adjourned? No one has said anything about that."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" As to that, I am not sure that there is a rule on the subject. But the idea is that on the day when the budget is presented no other business is done in order to enable members to study the figures and to be ready with their general remarks on the day following or the day next to that. That has been the convention till now. The question once arose and it was decided advisedly not to have any other business that day."

* The hon. the PRESIDENT :—" I think we had better proceed."

* The hon. Mr. N. E. MARJORIBANKS :—" Mr. President, Sir, I beg to submit the report^a of the Select Committee appointed to consider the Madras Village Officers' Restoration Bill. At this stage I should like to make a few remarks before moving that the report be taken into consideration. I ask the patience of the House to hear my remarks at this stage because of the trend of certain amendments which have been tabled. I wish to explain what the scope of the Bill is that has been introduced. Under the provisions of the Madras Act II of 1894 and of Madras Act III of 1895, Government have full power to group villages, to abolish officers and create new posts. But there is a provision in these Acts that where the existing villages are divided and new offices are created the persons appointed to hold those posts must be of the family of the present holders. Now, in consequence of a policy of retrenchment followed a year or two back, a number of villages were grouped and a number of village officers were abolished. If the Government, in exercise of their powers under the Acts to which I have referred, were to restore the villages and offices, they would be obliged to appoint to these new offices members of the families of the persons who now hold offices and not the people who lost the offices at the grouping. To enable the Government to carry out the general desire of the House that, where the old villages are restored, the former holders should be re-appointed, they have been obliged to ask the Council to pass this Bill. The scope of the Bill introduced into the Council and reported on by the Select Committee does not include the question of the extent to which the abolished offices are to be restored. I may, however, state for the information of the House that this question was discussed with the members of the Select Committee and their advice sought. At the time of introducing the Bill, I stated that, subject to the condition that the total present cost of these posts is not increased, the Government would restore those offices that were abolished as a measure of retrenchment. The tentative proposals I made at the time were that we might fix the pay of the headman at Rs. 10 and that the pay of the karnam and the menials should be left unaltered; and that the abolished headmen and karnams should be restored at these rates to the extent

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that would satisfy the condition that the total cost should not exceed the present cost as entered in the budget. We worked out these figures and found out that on these lines five-sixths of the abolished officers could be restored. But it was pointed out to by the members who constituted the Select Committee, whose advice was sought, that there would be considerable discontent if one-sixth the number were not restored and that complaints would be made as to the lines on which selection was made. Government then agreed that, provided no extra cost was incurred, they would restore all the offices that were abolished as a means of retrenchment. The resulting rates of pay admissible under this condition will be that the pay of the headman will be reduced by Rs. 2, that of the karnam by Re. 1 and that of the menials by 8 annas, the pay of the headmen and karnams who were getting Rs. 15 and above, prior to revision of pay, being left unaltered; and the jamabandi allowance of headmen and karnams will be withdrawn. For proprietary areas, if similar reductions in pay are made, all the offices abolished on the score of retrenchment could be restored. I have said that the proposal of Government is to restore all those who were abolished as a measure of retrenchment. But that does not include every village officer who has been dispensed with since the date given in the Bill, i.e., since 1st June 1920. There were a certain number of menials who were dispensed with as being unnecessary for administrative reasons independently of measures of retrenchment. I am not sure there are any village officers that come under that category. I think there were some few officers who were abolished on the ground that they were unnecessary as the villages were too small. The bulk of the reduction was however made on grounds of retrenchment. The Government cannot therefore undertake definitely without qualification to restore every village officer and every village menial who has been thrown out of office since 1st June 1920. The principle on which we have made our calculation is that those abolished as a measure of retrenchment should be restored and the numbers that we have estimated to be restored are those reduced according to the proposition statements sanctioned by the Board of Revenue in carrying out the retrenchment schemes in each district.

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“Coming to the particular clauses of the Bill, they have given some difficulty on account of their complicated nature, as the Bill is one which seeks to provide for all the eventualities that might have occurred during the last five years. We hope that the amendments made by the Select Committee and one or two further slight amendments which the hon. the Advocate-General will explain will provide for all the difficulties that we can foresee in this matter. We do not wish that there should be any picking and choosing, but that when the office is restored, the man who was dispensed with should go back automatically. We are not able to undertake definitely that we shall restore every single man that was dispensed with after 1st June 1920. The number, however, that was abolished on grounds other than retrenchment is comparatively few and I am not certain that they include any headman or karnam. It did include, however, mungars and assistant karnams and Government do not undertake to restore those officers. In the circumstances, I move that the Bill as reported by the Select Committee be taken into consideration.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“I second it.”

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Clause 1.

Mr. T. R. VENKATARAMA SASTRIYAR :—" I move that for ' 1925 ' which stands in the Bill, ' 1926 ' be substituted."

The hon. Sir C. P. RAMASWAMI AYYAR :—" I second it."

The amendment was put and carried.

* Mr. S. MUTTAYYA MUDALIYAR :—" Sir, I move

' For the existing paragraph (2) substitute the following :—

' It shall extend to the whole of the Madras Presidency.

" I take it that this legislation was introduced in pursuance of a resolution of this Council passed in February 1924 that the village officers who were sent out of office by the regrouping or amalgamation should be restored and that for the purpose of such restoration the villages that were re-grouped or amalgamated should be redivided into their original units. As I understand it, if these people are restored and the villages re-divided, in the case of such villages to which the provisions of the two Acts, the Proprietary Village Services Act and the Hereditary Village Officers Act apply, the person who will be entitled to the office if re-division be made as at present will be the person in office at present. To avoid the difficulty under which the Collector or other officers concerned will be placed to restore the old man who was in office at the time of the original abolition, this Act is intended. As I understand it, if the application of the Act is limited to only these two classes of cases, viz., the Proprietary Estates Village Officers and the Hereditary Village Officers, what is the number of officers that have been sent out? Supposing this Act is not passed, if two villages have been amalgamated into one in any of the areas, the person who is in office will be the karnam or the headman of a village which was originally existing. Supposing it is re-divided, he will continue to be in office and a new man will have to be appointed for the other place. So there is no question of sending out this new man. He will have no right to the newly established office and in such a case, this Bill will not be necessary. Now, who is the man to be appointed to the old place? In the course of administration, the Government will restore the man who was in office at the time the village was abolished. Usually, it will come to that man if he is alive or to his son or heir. So, I see no difficulty whatever. If it is merely for the purpose of restoring the man who is in office, you can do it without any enactment. Probably, there will be one or two instances in which the last holder of the office has no lineal heir and the person who will now have to be appointed may be a stranger to the family—a sister's son or brother's son. In such cases, a difficulty might arise. Unless we have facts to show that this enactment is necessary for restoring the old man to the office which had been abolished, we cannot agree to the Act as it is. The resolution which was passed by this Council in February 1924 was that all people who were sent out of office owing to re-grouping or amalgamation should be restored. That being so, the object of this Bill should be to make it obligatory on the part of Government to restore every one of the village karnams and headmen that were sent out of office by this re-grouping or amalgamation. If for any other reason, any officer was sent out, it was not the object of the resolution nor my object that he should be restored. If, in pursuance of a policy of amalgamation, people were sent out, what I ask and what was passed by a very large

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majority by this House is that all those persons should be restored. The Bill need not be limited to the areas mentioned in section 1. The whole Bill ought to be made applicable to the whole Presidency and should be made applicable to all such villages where re-grouping or re-amalgamation has been made. I only move this amendment to carry into effect the resolution which was passed by this House. I think, therefore, that I am voicing the feelings of this House, as in the year 1924, and I do not see any reason why that feeling should have changed now. I therefore move my amendment for the acceptance of the House."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I have given notice of an amendment with the same object. But I will be satisfied with seconding the amendment moved by my hon. Friend. It is well known that there are a number of districts in this Presidency where this Act does not apply. I believe, Salem is one such district, Tanjore is another and, I am told, Trichinopoly also comes in. But still the appointments there are generally made on the principle of hereditary rights by executive orders. Anyhow, we know that there are a number of districts to which this Act does not apply. So that if this amendment is not carried out, this Bill, if passed into law, will not be applicable to those districts with the result that the object of the introduction of this Bill, viz., to help people who were deprived of appointment, will be frustrated. Therefore, unless the Government undertakes to issue an order that this Act will be made applicable to those districts also, this amendment should be passed. If that is not done, the result of passing this Bill will be that a number of districts will be benefited by it and in the rest of the districts, the village officers will be left to the whims and fancies of the various revenue authorities. Our sole object at the time of passing the resolution referred to has been that there should be no scope for the revenue authorities to meddle with these matters and make any appointment they liked and that the persons deprived of their offices should be automatically restored. Therefore, the object of the Bill cannot be attained, unless either by enactment or order the Government says that this should be made applicable to all districts where revision has taken place. Therefore, I believe that this amendment is very important. Unless we realise the seriousness of the situation and pass this amendment, a large number of people who expected to be benefited will be disappointed and that will be a great injustice to them."

* The hon. Mr. N. F. MARJORIBANKS :—" Except in districts where the village offices are hereditary, we do not mean, by this legislation, to restore anybody. In other cases it is not necessary to have any legislation at all. It is only because the provisions of the existing Acts compel us to appoint to a new office, formed by dividing the existing village, a member of the family that holds the existing post, it is only to get over that difficulty and to put back the man who formerly held the revived post that this Bill has been brought in.

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" I have explained what we intend to do. I do not see how an amendment like the one which the hon. Member has suggested can meet the purpose which he has in view. In any case Government will not accept any provision which will have the effect of curtailing the powers which they have under the original two Acts."

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* Mr. A. RANGANATHA MUDALIYAR :—“ I do not know if the provision, as it is drafted, does not really cover the entire Presidency except the scheduled districts because it is specifically mentioned in clause 1 that it will apply to those parts of the Presidency of Madras to which the Madras Proprietary Estates Village Services Act of 1894 and the Madras Hereditary Village Offices Act of 1895 apply. It is true that the Proprietary Estates Village Services Act applies to limited areas in the province. In regard to the Madras Hereditary Village Offices Act it is stated in that Act that clause 1 of section 5 applies to the whole of the Presidency excepting the scheduled districts, as defined in the Scheduled Districts Act of 1874. I take it that scheduled districts refer to the Agency tracts and Anjengo. If that is so, that has to be taken into consideration because the clause, as it is drafted at present, does apply to the whole of the Presidency excepting scheduled districts.”

* The hon. Mr. N. E. MARJORIBANKS :—“ On the legal point, I am unable to answer. I am merely dealing with the substantial ground which, I think, the mover of this amendment wants to cover, namely, of trying to restore to office every person whose post has been abolished since 1st June 1920. I do not know whether the particular amendment under discussion would effect that object. I was dealing with his argument. As regards the legal aspect as to whether this Act does or does not apply to the whole of the Presidency of Madras, I ask the hon. the Advocate-General to deal with that question.”

Mr. T. R. VENKATARAMA SASTRIYAR :—“ It is true that Act III of 1895 purports to apply to the whole of the Presidency but the offices with which it deals are hereditary village offices. If the village offices in particular districts, are not hereditary, notwithstanding the fact that the Act purports to extend to the whole of the Presidency, it will not apply to those districts. I understood that the Acts did not operate in some districts and that is the ground on which the mover has put forward the amendment to apply this Act to the whole of the Presidency. The object of the amendment is that the Act should be applied not merely to hereditary village offices but to other offices also. There are two Acts already by which we are governed in our application of this Act. As my friend himself pointed out, it is not really necessary to pass this Act at all. In places at which the Act of 1894 or 1895 is not in force, and if by reason of restoration to offices we should have to appoint new persons to those places, there is already discretion vested in the revenue officers to appoint anybody and also the resolution of this Council recommending that the holders of offices prior to June 1920 should be restored to their places and that will be given effect to executively by the officers in whose hands the right of appointment is vested. We want this Act only to control and modify the provisions of the previous Acts where they operate.”

* Rao Bahadur C. V. S. NARASIMHA RAJU :—“ Act III of 1895, though it applies to the whole of the Presidency of Madras, only applies to such offices which are hereditary. The Local Government was given powers under one of these sections to settle which officers are hereditary and come under the classification mentioned in that Act. In districts where offices are not hereditary they still continue to be non-hereditary but, as a matter of practice, I was told that by means of executive orders hereditary principles were being upheld there whenever vacancy arose. Now, the proposal is

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that the Act shall be applied to the whole Presidency. Even supposing this amendment is carried into effect it is the same thing as it is in the section because it applies to the whole of the Presidency excepting scheduled districts. As far as scheduled districts are concerned, in the Agency of Ganjam, Godavari and Vizagapatam, especially Vizagapatam, the application was extended by a notification. There is no practical difficulty. An assurance from the hon. the Revenue Member that executive orders will be issued to restore the old officers who were sent away on account of retrenchment, would, I think, to a great extent carry out the intentions of the mover of the amendment. The real necessity for this Bill is that offices shall not be claimed under the provisions of the other two Acts by members of families in cases where such offices are hereditary. In cases where it is not hereditary a mere executive order is enough to restore old officers."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" This amendment will not be pressed if the hon. the Revenue Member gives us an assurance that executive orders will be issued to restore old people to their offices even in non-hereditary areas. Our fear is that if the present holders or if they have died their sons or heirs were to be restored to offices which will be created owing to redividing or regrouping as a result of the passing of this Act, then this Act will become wholly inapplicable to non-hereditary areas "

* The hon. Mr. N. E. MARJORIBANKS :—" Of course, if village officers are restored in non-hereditary areas, the principles which will be followed in hereditary areas will be applied to them also. Figures have been worked out on this basis but the arguments which were advanced were that this Bill should provide for the restoration of every officer and it was that I took exception to. But I should not be understood as saying that there should be any difference in treatment between the persons who are restored to offices in hereditary areas and those that are restored in other areas."

* Mr. S. MUTTAYYA MUDALIYAR :—" I understood the hon. the Revenue Member to say that in other areas also where villages were redivided and amalgamations carried out previously, the principles that are applied to hereditary areas would be followed and that executive orders would be issued to that effect. Hence I do not press my motion."

The amendment was by leave withdrawn.

Clause 1 as amended of the Bill was put, passed and added to the Bill.

Clause 2.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" The amendment that I wish next to move runs thus :—

'For the words "class (1) or (3)" substitute the words "classes (1) and (3)".'

"This is only a formal amendment. I beg to move it."

The hon. Mr. N. E. Marjoribanks seconded the motion.

The amendment was put and carried.

Mr. G. RAMESWARA RAO :—" The amendment that I wish to move runs as follows :—

*Add the following words at the end of the clause :—
'including assistant karnams and triune officers.'*

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"I want that special mention should be made of these people because they also suffered in the general course of retrenchment and no specific mention has been made of them in the Act. It is to clear the doubt that these classes of persons are not excluded from the operation of this Act and that departmental orders such as the Board's Standing Order or something of that kind should be issued that I have moved this amendment. It is with that view I put forward this amendment. If the hon. the Revenue Member gives me reason as to why he cannot accept the amendment, I shall see whether I can press it or withdraw it."

* Mr. A. RANGANATHA MUDALIYAR :—"I second it."

* The hon. Mr. N. E. MARJORIBANKS :—"In some of the proprietary villages the same man does both the duties of a karnam and those of a headman but he is either a karnam or headman. There is no mention of a 'triune officer' as such in the present Acts at all. There is no reason why he should be mentioned particularly in this Act. As regards the assistant karnams, they would not come under the scope of this Bill."

Mr. G. RAMESWARA RAO :—"I wish to make myself clear. There are a number of triune officers in proprietary estates who were affected by retrenchment. It is because you have omitted their names in the existing Acts, I want their names to be put in in this Bill."

* The hon. Mr. N. E. MARJORIBANKS :—"As I have already explained triune officers come under the category of headman or under that of karnam."

4-46 P.M. Mr. G. RAMESWARA RAO :—"I only want to emphasize the position of the assistant karnams and the triune officers in proprietary villages who look after the duties of both the village headman and the karnam. I want to just elicit from the Government whether they will be included in the scope of the Bill. It does not matter if their names are not mentioned in the Bill. But I hope they will be included in the scope of the Bill. I do not know why they should be treated differently."

* The hon. Mr. N. E. MARJORIBANKS :—"A triune officer is either a karnam or a headman. If he is a karnam, he will be restored as a karnam. If he is a headman, he will be restored as a headman. No such person as triune officer is mentioned in the Act."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—"Section 3, sub-section (1), of the Hereditary Village Offices Act says that the Local Government shall have power to decide which officers come under the Bill. The triune offices are always held hereditarily. As it has already been remarked that both offices are combined, I do not think any difficulty does arise because under the proviso they are considered as officers coming under the provisions of the Bill. In any case, I do not think the office of the assistant karnam is held to be hereditary, and even then the offices of the assistant karnams were abolished not subsequent to 1st June 1920 but previous to that."

* Mr. T. R. VENKATARAMA SASIRIYAR :—"I do not know if this explanation would satisfy the hon. Member. He may find admission for the two offices he mentions in this way. If they are not karnams or mouigars, they will come, under section 3, sub-section (3) of the Hereditary Village Offices Act, under other hereditary village officers, being hereditary assistant karnams or hereditary triune officers. If that is so, they are within the class

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of other hereditary village officers in proprietary villages excepting those mentioned in sub-section (4). Sub-section (4) 4 does not mention the names of assistant karnams or triune officers. Therefore, they will come under the provisions of the Bill."

Mr. G. RAMESWARA RAO:—"What I wish to know is whether the declaration made in the Act will be enough or whether a separate declaration will be required."

* The hon. Mr. N. E. MARJORIBANKS:—"I do not understand the hon. Member's difficulties. This Bill enables us to appoint only hereditary village officers. It does not exclude any class of hereditary officers who are hereditary under the existing law."

Mr. G. RAMESWARA RAO:—"On the assurance that the Bill does not exclude hereditary officers, I withdraw the amendment."

The amendment was by leave withdrawn.

Clause 2 as amended was put, passed and added to the Bill.

New clause after clause 2.

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I move that the following clause be added as a new clause:—

'2-A. The Board of Revenue shall, within one year from the date of the passing of this Act, or such later date as may be fixed by the Local Government, re-divide or re-group new villages formed by the grouping or amalgamation of villages into the old component villages or revive offices which were reduced, if such formation or reduction was after the 1st day of June 1920.'

"I think, Sir, this clause is absolutely necessary because there are some difficulties as the clause stands at present. The object of the Bill is to bring into existence the officers whose offices were abolished. What clause 3 says is 'where new villages . . . are re-divided or re-grouped . . . the Collector shall re-appoint the village officers'. There is no substantive section in this Bill requiring that the villages shall be re-divided or re-grouped. The section only says that if certain things are done the following concessions will follow. It is absolutely necessary to give effect to the object of the framers of the Bill. Otherwise, there is no obligation on the part of the Revenue Board to re-divide the villages. The Board of Revenue is the body competent to bring the offices into existence. Following the provisions of the Act of 1895, I have expressly stated that the Board of Revenue shall do so, and I have prescribed a period of one year or such date following the language of clause 3. Following the spirit of this clause, I have stated that this shall take place either within one year or such later date as may be fixed by the Local Government. This clause is absolutely essential, because other consequences will follow."

* Mr. R. SRINIVASA AYYANGAR:—"As the hon. Mover said, this clause is necessarily intended to carry out the intentions of the House. Clause 3 only speaks of certain consequences following if a certain act is done. The amendment makes it obligatory to carry out the wishes of the House. I therefore second the amendment."

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* The hon. Mr. N. E. MARJORIBANKS :—“The reason why this Bill does not contain the clause is that the two existing Acts of 1894 and 1895 contain provisions giving the Board of Revenue power to do this at any time and the Government propose to exercise the power under the existing Acts to restore all the officers to the offices which were reduced or abolished in consequence of the retrenchment proposals. But they do not propose to bind themselves to do so in every case irrespective of the considerations which led to the reduction or abolition of those offices”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“I have given an amendment to the preamble with the very same object. Now the hon. the Revenue Member has made the matter clear. But there is a little inconsistency in what he said. He said that the Government propose to restore all the officers. But there is ‘but’ there. The Government do not bind themselves to restore every officer. I do not know what he means or where the qualification will be. He said ‘our first proposal was to revive five out of six village officers.’ Of course, the Government intend, as this amendment requires, to restore practically all of them. But unfortunately there is a ‘but’ there. Even supposing that 99 per cent of the officers are to be restored and that there would be only one per cent of officers who will not be restored, the question is, ‘who will decide this point?’ The authorities will be given the power of considering all these 100 cases. A mischievous clerk would try to cease hold of one case out of these 100 cases. There will be no use in restoring the 99 per cent of officers unless there is some principle involved in these appointments. Therefore, I would ask the hon. the Revenue Member to be good enough to remove the ‘but’. If that is done, the whole revision will be cancelled. If the remaining one per cent of officers also are restored, the village officers would have no cause to grumble. If all the officers are restored, the hon. the Revenue Member said that the additional cost would be 10 lakhs of rupees. The difference in the amount will probably be very small. But the difficulty will be very great. The temptation to the subordinate officers will be very great and the trouble to which the village officers will be put, will be enormous. We, in the mufassal, know to what a lot of difficulties and expenses the village officers were put to when the villages were grouped, even in cases in which their villages were not grouped. We know the great danger even if one village officer out of a 100 officers is not restored. To avoid all trouble, all possible difficulties and temptations, I would appeal to the hon. the Revenue Member to reconsider the whole position and to give effect to what I consider to be the real object of the Select Committee itself. The Select Committee wanted all the officers should be restored and the Government had to change their view that five out of six village officers would be restored. I appeal to the hon. the Revenue Member not to care for a few rupees. I do not know why one or two village officers alone out of 100 should not be benefited by this Act. Not only the pay of the village officers whose work will be reduced under the new scheme, will be reduced but the pay of all village officers will be reduced and there is no reason why a particular officer should not be relieved of a portion of his work when his pay is reduced, irrespective of the fact whether his village will come under the provisions of this Act or whether it was grouped or not. However small the difference in the amount required may be, serious difficulties will arise.”

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* Mr R. SRINIVASA AYYANGAR :—“ If I would not be out of order I would like to draw the attention of the House to the commitment of the Government when this matter was before the Select Committee.” (Voices : No, No.)

* The hon. Mr N. E. MARJORIBANKS :—“ I am sorry I should have been so obscure in my remarks as to make such an impression in the mind of my hon. Friend from Coimbatore. From the very beginning the Government have laid down two propositions. They would be prepared to restore the officers whose offices were abolished on account of giving effect to the schemes of retrenchment subject to the condition that the total cost does not exceed a certain amount. If you keep the rates of the salaries at the figures which I gave when I presented the Select Committee report you cannot restore everybody, but you can restore all the officers who were thrown out of employment on account of retrenchment. But there were certain others mostly menials, whose services were dispensed with not with reference to any retrenchment proposals at all, but because their number was considered to be in excess of the requirements. The Government do not propose to revive those officers. They cannot bind themselves to restore every officer. I have the figures of the number of officers who were affected by retrenchment proposals. I do not see what is gained by having a clause like this, because it would be open to the Government or the Board of Revenue to abolish all these offices again. I do not know why the hon. Member from Coimbatore cannot trust Government to do what we have undertaken to do.”

* Rao Bahadur C. V. S. NARASIMHA RAJU :—“ Sir, the real question that is raised in this amendment is whether the Government are prepared to restore all the officers who were shown in the budget estimate of 1920-21. The hon. Member for Revenue while presenting the report of the Select Committee said, and even now he repeated, that in the case of some menials and in the case of some village officers there was a reduction independent of the retrenchment proposals.” 5 p.m.

* The hon. Mr. N. E. MARJORIBANKS :—“ I was not certain about the village officers ; I referred to the menials.”

* Rao Bahadur C. V. S. NARASIMHA RAJU :—“ The hon. the Revenue Member was pleased to mention about them while presenting the report of the Select Committee.

“ If the calculations are made on the basis of the actuals of 1920-21 and the budget estimates of 1926-27, I want to know what objection there is to restore all the village officers who were in 1920-21. The number of talaiyaris, vettiyaans and others was given to be 44,000 and odd according to the budget estimate of 1920-21. The adjustments and allowances were made on the basis of the budget figures for 1920-21. If really any of these numbers are to be reduced, any consent which was given on the part of the Select Committee for the reduction of the salaries of the other officers is not properly understood. The reduction in the salary of the headman by Rs. 2, in that of the karnam by Re. 1 and in that of the menial by As. 8 was consented to on the basis of the 1920-21 figures. I do not see any reason why the hon. the Revenue Member shall not give his consent to restore all the menials and officers who were there in 1920-21. I do not

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see any difficulty from the financial point of view. There is nothing to show which menials were reduced independent of the retrenchment proposals. If figures are available, that may stand on a different footing. Since the whole calculation was made on the basis of the budget figures for 1920-21, I do not think there is any objection to restoring all of them. If the hon. Member wants to show any saving by not restoring all of them there is a serious objection. I do concede that there is no real necessity in this Bill to make provision for the restoration of all the officers. But if an assurance is given by the hon. Revenue Member that he would restore all the officers and menials as they stood in the year 1920-21, that will be quite satisfactory. I hope the hon. Member will have no objection to give that assurance."

* The hon. Mr. N. E. MARJORIBANKS:—"Sir, my trouble in this matter is this. The figures entered in the budget of 1920-21 do not correctly represent the sanctioned strength. They apparently represent those who were expected to draw pay. The actual figures of the number of people who were sent away were given in proposition statements sent by the Board of Revenue. These figures were submitted to the Select Committee and I stand by the figures which I gave to the Select Committee. I do not take into consideration the budget figures."

The amendment was put to the House and declared lost. A poll was demanded and the House divided thus:—

Ayes.

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|-----------------------------|-------------------------------------------|
| 1. Mr. J. A. Saldanha. | 7. Rao Bahadur A. S. Krishna Rao Pan'ulu. |
| 2. " A. Chidambara Nader. | 8. Mr. T. M. Narayanaswami Pillai. |
| 3. " K. Koti Reddi. | 9. " R. Srinivasa Ayyangar. |
| 4. " G. Rameswara Rao. | 10. " C. V. Venkataramana Ayyangar. |
| 5. Rao Sahib R. Srinivasan. | 11. " J. Naganna Hegde. |
| 6. Mr. R. Veerian. | |

Noes.

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|-------------------------------------------------|-----------------------------------------------------------|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 19. Rao Sahib P. V. Gopalan. |
| 2. " Mr. N. E. Marjoribanks. | 20. Mr. L. C. Guruswami. |
| 3. " Khan Bahadur Muhammad Usman Sahib Bahadur. | 21. " R. Madanagopal Nayudu. |
| 4. " Mr. T. E. Moir. | 22. " T. Mallesappa. |
| 5. " Diwan Bahadur Sir T. N. Sivagnanam Pillai. | 23. " B. Obalesappa. |
| 6. " Rao Bahadur Sir A. P. Patro. | 24. " B. Ramachandra Reddi. |
| 7. " The Raja of Panagal. | 25. The Raja of Ramnad. |
| 8. Mr. T. R. Venkatarama Sastriyar. | 26. Rao Bahadur P. Raman. |
| 9. " G. T. Boag. | 27. Mr. K. Sitarama Reddi. |
| 10. " V. Pandrang Rao. | 28. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 11. " F. Noyce. | 29. Mr. K. Venkatachala Padayachi. |
| 12. " Abdulla Ghatala Sahib. | 30. Khan Bahadur Haji Abdulla Haji Qasim Sahib Bahadur. |
| 13. " S. Arpudasami Udayar. | 31. Mr. Muhammad Ghouse Mian Sahib. |
| 14. Rao Sahib I. C. Tangavelu Pillai. | 32. Khan Bahadur V. Hamid Sultan Marakayar Sahib Bahadur. |
| 15. Rao Bahadur C. Natesa Mudaliyar. | 33. " P. Khalif-ul-lah Sahib Bahadur. |
| 16. Mr. P. K. S. A. Arumuga Nadar. | 34. Rao Bahadur C. V. S. Narasimha Raju. |
| 17. " N. Devendruda. | |
| 18. " A. Ramaswami Mudaliyar. | |

Neutral.

- | | |
|-------------------------------|-----------------------------------------|
| 1. Mr. C. Muttayya Mudaliyar. | 7. Mr. S. Satyamurti. |
| 2. " C. Ramalinga Reddi. | 8. " T. Adinarayana Chettiyar. |
| 3. " A. Ranganatha Mudaliyar. | 9. " P. Anjaneyulu. |
| 4. " C. Gopala Menon. | 10. " C. Maruthavanam Pillai. |
| 5. " S. Muttayya Mudaliyar. | 11. Rai Bahadur T. M. Narasimha Chariu. |
| 6. " F. S. Rajappa. | 12. Sriman Sasibhushan Rath Mahasayo. |

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11 hon. Members voted *for* the motion; 34 voted *against* the motion; 12 hon. Members remained *neutral*.

The amendment was lost.

The House adjourned to meet again at 11 a.m. on Monday, the 15th February 1926.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX I.

[Vide answer to question No. 1427 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 13th February 1926, page 479 supra.]

District.	Number of members of depressed or Adi-Dravida community.			District.	Number of members of depressed or Adi-Dravida community.		
	Who applied for Sub-Inspector's post.	Who appeared before Superintendent of Police.	Who were selected by Superintendent of Police and sent to Deputy Inspector-General of Police.		Who applied for Sub-Inspector's post.	Who appeared before Superintendent of Police.	Who were selected by Superintendent of Police and sent to Deputy Inspector-General of Police.
Ganjam ..	..	..	..	South Arcot ..	..	..	..
Vizagapa'am ..	..	..	..	Tanjore ..	..	..	..
Jeypore ..	..	..	..	Trichinopoly ..	1	1	1
East Godavari ..	2	2	1	Madura ..	2	2	1
West Godavari ..	..	..	..	Ramnad ..	1	1	..
Kistna ..	..	..	..	Tinnevely ..	2	2	..
Guntur ..	2	2	1	Coimbatore ..	..	..	..
Nellore ..	..	..	..	Salem ..	..	..	..
Cuddapah ..	1	1	..	The Nilgiris ..	..	..	..
Kurnool ..	..	..	..	Malappuram ..	..	..	..
Bellary ..	..	..	..	Malabar ..	..	..	..
Anantapur	South Kanara
Chittoor				
North Arcot ..	2	1	1	Total ..	22	21	9
Chingleput ..	9	9	4				

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APPENDIX II.

[Vide answer to question No 1430 asked by Mr J. A. Saldanha at the meeting of the Legislative Council held on the 13th February 1926, page 483 supra.]

[Note.—Items marked X have been leased to the Madras Race Club.]

Serial num- ber of buildings.	Survey num- ber of sub- sidiary structures.	Name of the buildings.	Superficial plinth area including veranda.
1	..	Government House, Madras— Land 65 awnies 15 grounds 520 square feet.	
2	1 1	Main building	21,847 sq. ft.
3	..	Military Secretary's office block and stable— Superintendent's quarters— Main building	7,004 „
4	..	Stable Superintendent's kitchen— Main building	227 „
5	..	New kitchen block	14,050 „
6	..	A.D.C. quarters— Building	3,179 „
7	..	Stables for body guard— Coach house in one block	27,450 „
8	..	Harness room	
9	..	Harness room extension	
10	..	Motor-driver's quarters	
11	..	Petrol stores	
12	..	Stables in one block including veranda	
13	..	Stalls in another block	
14	..	Guard room	
15	..	Public Works stores and electric store room	1,393 „
16	..	Horse stall, cone shaped, two in number	74 „
17	..	Fowl house	430 „
18	..	Wire cage	1,466 „
19	..	Six new quarters for servants—	228 r.ft.
20	10/1	Compound wall	368 sq. ft.
21	10/2	Bath room for servants	272 „
22	10/3	Latrine for males	66 „
23	10/4	Do. for clerks	151 „
24	10/5	Do. for females	1,613 „
25	..	Cattle shed	706 „
26	..	Milkman's quarters and straw godown	2,022 „
27	..	Assistant Surgeon's quarters	869 „
28	..	Kitchen and outhouses	484 „
29	13/1	Filter beds	1,467 „
30	..	Plunge bath room	139 „
31	..	Racquet court—	
32	..	Manager's quarters	2,481 „
33	17/1	Kitchen	168 „
34	17/2	Fowl house	70 „
35	..	Electric switch store room	34 „
36	..	Band Master's quarters	2,428 „
37	18/1	Kitchen	167 „
38	..	New servants' lines—	
39	19/1	24 huts block	5,993 „
40	19/2	24 huts block	5,993 „
41	19/3	14 huts block	3,506 „
42	19/4	22 huts block	5,494 „
43	19/5	10 huts block	2,612 „
44	19/6	Bath rooms 3 in number	237 „
45	19/7	Latrines 3 in number	588 „
46	..	Clerks' quarters—	
47	..	Main buildings	1,345 „
48	20/1	Bath rooms	114 „
49	20/2	Latrines	53 „
50	20/3	Compound wall	49 r.ft.

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Serial num- ber of buildings.	Survey num- ber of sub- sidiary structures.	Name of the buildings.	Superficial plinth area including veranda.
21	..	Bandmen's quarters—	
	21/1	Band Sergeant's main building	1,379 sq. ft.
	21/2	Kitchen for main building	136 "
	21/3	Latrine	76 "
	21/4	Two blocks for married men	1,149 "
	21/5	Latrine	1,044 "
	21/6	Kitchen	1,486 "
	21/7	Corrugated iron latrine	136 "
		Band stand octagonal shaped	350 "
	21/8	Barracks for 12 single men	2,771 "
	21/9	Latrine	355 "
	21/10	Bath room	223 "
	21/11	Kitchen	204 "
22	..	Banqueting Hall—	
	22/1	Main building	25,388 "
	A	Guard room	854 "
	B	Visitors' book room	2,540 "
	C	Post office and Postmaster's quarters	1,900 "
	D	Out-patient dispensary	2,456 "
	E	Assistant Surgeon's quarters	162 "
		Kitchen	
23	..	Marine Villa—Since handed over to Senate House, Madras University	
24	..	Bodyguard lines and quarters attached—	
	..	Land 10 awnies 14 grounds 1,934 square feet.	
	24/1	Epidemic plague stable	612 "
	24/2	Sepoys' or syces' quarters, 3 blocks	14,586 "
	24/3	Compound wall in front and cross walls, 3 blocks	2,258 r. ft.
	24/4	Partition wall between sepoy's quarters and stable	688 "
	24/5	Stalls for 102 horses	14,338 sq. ft.
	24/6	Stalls for 48 horses	6,863 "
	24/7	School-house	1,760 "
	24/8	Stable and carriage stand	
	24/9	Chuckler's workshop	
	24/10	Fodder room	
	24/11	Do.	667 "
	24/12	Do.	
	24/13	Saddle officer's room with veranda	2,005 "
	24/14	Arms and ammunition room with veranda	6,276 "
	24/15	Hospital	3,920 "
	24/16	Outhouses including veranda	1,824 "
	24/17	Block of quarters for havildars, jamadars and trumpeters—	4,705 "
		Main building.	
	24/18	Outhouses No. 1 kitchen	530 "
	24/19	Store room (No. 2) outhouses	296 "
	24/20	Outhouses No. 3 store room	55 "
	24/21	Outhouses No. 4 kitchen	66 "
	24/22	Compound wall attached to all above	298 r. ft.
	24/23	Kanju and magazine house latrine and tunnel	869 sq. ft.
	24/24	Bodyguard office	2,533 "
	24/25	Outhouses No. 1	132 "
	24/26	Do. No. 2 including veranda in front	241 "
	24/27	Servant's quarters	7,280 "
	24/28	Compound wall front and rear and cross wall	1,174 r. ft.
	24/29	Store room for preparing and keeping skins	516 sq. ft.
	24/30	Compound wall all round	98 r. ft.
	24/31	Contagious disease stall	331 sq. ft.
	24/32	Latrines, north end	345 "
	24/33	Sick lines	3,013 "
	24/34	Store room for gram and hay	319 "
	24/35	Slingshed for one horse	270 "

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Serial num- ber of buildings.	Survey num- ber of sub- sidiary structures.	Name of the buildings.	Superficial plinth area including veranda.
24	..	Bodyguard lines and quarters attached— <i>cont.</i>	
	24/36	Pharmacy and office	740 sq. ft.
	24/37	Latrine and shoeing shed	378 "
	24/38	Bran store room	421 "
	24/39	Gram boiling room	1,374 "
	24/40	Store room for gram	414 "
	24/41	Quarters for Subadar and Risaldar	
	24/42	Bath and kitchen rooms attached to the above two, with partition wall between. }	2,604 "
	24/43	Shed east of quarters	
	24/44	Compound wall attached to above quarters	164 r. ft.
	24/45	Latrine	142 sq. ft.
	24/46	Tailor's house with veranda all round	2,781 "
	24/47	Portico front and rear	216 "
	24/48	Outhouses No 1	372 "
	24/49	Do. No. 2	338 "
	24/50	Two cook-houses and dhobikhana	150 "
25	..	Government House, Guindy— Land 1,268.96 ares.	
	25/1	Main building including new kitchen	33,159 "
	25/2	Stone mantapam near new kitchen	798 "
26	..	Post office	749 "
27	..	Assistant Surgeon's quarters—	
	×27/1	Main building	2,507 "
	×27/2	Stables	200 "
	×27/3	Out houses (i.e.), kitchen	71 "
	×27/4	Fowl house	52 "
	27/5	Wire cage	80 r. ft.
	×27/6	Godowns	202 sq. ft.
28	..	Manager's quarters	1,853 "
	28/1	Kitchen	247 "
	28/2	Fowl house	132 "
	28/3	Wire cage	247 r. ft.
29	..	Octagon bungalow including store room near— St. room 756 }	2,103 sq. ft.
		Bungalow 1,347 }	
		Banquet court	380 "
30	..	Fernary shed	864 "
31	..	Do. tank	3,190 "
32	..	Shed for plants	1,884 "
33	..	Victoria Regiah tank	697 "
34×	..	Fire-engine room	1,678 "
35	..	Garden water tank	545 "
36×	..	Motor-car room near Manager's quarters	945 "
37×	..	Stable Superintendent's quarters	1,800 "
	×37/1	Kitchen	321 "
38×	..	Forge room	1,70 "
39×	..	Cosah-house and tubs including water-tubs	18,569 "
	29/1	Enclosure wall for do.	219 "
40×	..	Cattle-shed	1,658 "
41×	..	Private Secretary's and Military Secretary's office— Main building }	2,380 "
		Front veranda }	
42×	..	Guard room—	2,576 "
	42/1	Bottom or platform of water tank near guard room	16 "
	×42/2	Latrine near guard room	204 "
	×42/3	Cook-room near guard room	675 "
	×42/4	Latrines 2 for guard room	325 "
	42/5	Screen wall for tile kitchen	24 "
43	..	Wooden bunk for gate-keepers	16 "

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Serial num- ber of buildings.	Survey num- ber of sub- sidiary structures.	Name of the buildings.	Superficial plinth area including veranda.
44		Quarters for four clerks—	
	× 44/1	Block for two clerks No. 1 and No. 2	2,690 sq.ft.
	× 44/2	(a) Latrine; (b) bath room; (c) enclosures wall	{ (a) 106 (b) 228 (c) 98 r.ft.
45		Servants' quarters—	
	45/1	Block No. 1. Motor-car driver	2,272 sq.ft.
	45/2	Do. 2. Bearers	653 "
	45/3	Do. 3. Cooks and matie	4,522 "
	45/4	Do. 4. Muhammadan quarters	653 "
	45/5	Do. 5. Caste servants	2,272 "
	× 45/6	Do. 6. Peons, butlers and arkars	4,363 "
	× 45/7	Do. 7. Compounders and nurses	875 "
	45/8	Do. 8. Domestic servants	3,094 "
	× 45/9	Do. 9. Stable servants	4,125 "
	× 45/10	Do. 10. do.	4,125 "
	× 45/11	Blocks Nos. 11 and 12. Dhobies, visitors' servants, sweet- pers in one block.	3,359 "
	45/12	Reservoir at servants' lines	134 "
	× 45/13	Latrines for males and females (corrugated)	506 "
	× 45/14	Latrines, Mangalore tiles	90 "
	× 45/15	Bathing places, 3 pairs	654 "
46	×	Dhobikhana—	2,158 "
	46/1	Well with cover and iron pump	6 dr.
	46/2	Cleaning platform	962 sq.ft.
	× 46/3	Boiling shed for dhobikhana	185 "
47	×	Military Secretary's bungalow—	
		Two floors including veranda	8,218 "
	× 47/1	Kitchen and godown attached to Military Secretary's bungalow.	852 "
48	×	Aide-de-Camp's bungalow—	3,989 "
	× 48/1	Cook room	580 "
	48/2	Well without cover	9' dr.
	48/3	Cisterns	71 sq.ft.
49	×	Surgeon's bungalow—	5,923 "
	× 49/1	Store-room near Surgeon's quarters	480 "
	× 49/2	Servant's quarters	1,166 "
	× 49/3	Fowl house and wire netting	132 "
	× 49/4	Latrine, wire cage	135 "
50	×	Main kitchen or old kitchen—	15,895 "
	50/1	Fowl house and netting	62 "
	× 50/2	Store-room for milkman	287 "
		Wire cage	240 "
51	×	Farm yard—	
		Dhobikhana superintendent's quarters	1,917 "
	51/1	Bullock shed	2,905 "
	51/2	Quarters for police constables	2,234 "
	51/3	Police stations	233 "
	51/4	Compound wall	584 r. ft.
	51/5	Well	6' dr.
	× 51/6	Latrine	202 sq.ft.
52		Gate-keeper's shed	1,302 "
53	×	School for Government House servants—	1,458 "
	× 53/1	Latrine	185 "
54		Store-room (old filter beds)	520 "
	54/1	Public Works stores and wood store room	615 "
55		Electric power-house	1,869 "
56	×	Hospital—	
		Dispensary room	547 "
	× 56/1	Cook-room	185 "
	× 56/2	Male ward with veranda	1,051 "

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Serial number of buildings.	Survey number of subsidiary structures.	Name of the buildings.	Superficial plinth area including veranda.
55 X	..	Hospital— <i>cont.</i>	
	X 56/3	Female ward and store-room	1,071 sq.ft.
	X 56/4	Latrine and bath room	238 „
	56/5	Compound wall	481 r.ft.
57 X	..	Schoolmaster's quarters	403 sq.ft.
	57/1	Compound wall	52 r.ft.
58	..	Old pumping station— Engine room outside the Government House enclosure on the banks of the Adyar river, battery engine room and filter bed.	2,042 sq. ft.
	58/1	Engine-driver's house	639 „
	58/2	Cook-house and bath room	231 „
	58/3	Shelter cottage for engine-drivers	531 „
60	..	New pumping station	729 „
	60/1	Well	272 „

APPENDIX III.

[Vide answer to question No. 1440 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 13th February 1926, page 498 supra.]

List of Members on the Erode Taluk Board.

Nominated Members.

1. M.R.Ry. Rai Bahadur Nalla Thambi Sarkarai Munradiar Avargal.
2. „ K. Subramania Kavandar Avargal.
3. „ K. A. Shaik Dawood Sahib Avargal.
4. „ M. A. Andamuthu Kavandar Avargal.
5. „ Subramania Mudaliyar Avargal.
6. „ M. Ramaswami Ayyar Avargal.

Elected Members.

1. M.R.Ry. Perianna Kavandar Avargal.
2. „ Palaniappa Chettiyar Avargal.
3. „ Avanashi Kavandar Avargal.
4. „ S. S. Doraiswami Kavandar Avargal.
5. „ K. Arumuga Kavandar Avargal.
6. „ K. Palaniswami Kavandar Avargal.
7. „ V. S. Raja Kavandar Avargal.
8. „ P. K. Narayanaswami Pillai Avargal.
9. „ Arunachala Kavandar Avargal.
10. „ D. L. M. Abdul Kareem Sahib Avargal.
11. „ S. Nachimuthu Kavandar Avargal.
12. „ Ponnuswami Kavandar Avargal.
13. „ Subbaraya Kavandar Avargal.
14. „ Muthuswami Kavandar Avargal.
15. „ Komaraswami Bahadur Thondama Kavandar Avargal.
16. „ Govindaswami Kavandar Avargal.
17. „ Peria Muthuswami Kavandar Avargal.
18. „ Ganapathy Pallavarayar Avargal.

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List of Members on the Gobichettipalayam Taluk Board.

Nominated Members.

1. M.R.Ry. K. Masthi Kavandar Avargal.
2. " K. R. Subramania Kavandar Avargal.
3. " K. Muthuswami Pillai Avargal.
4. " N. P. Karichi Kavandar Avargal.
5. " N. K. Palaniappa Kavandar Avargal.
6. " P. S. Arumugha Mudaliyar Avargal.

Elected Members.

1. M.R.Ry. S. Muthuvelappa Kavandar Avargal.
2. " M. Murugana Kavandar Avargal.
3. " S. Muthu Kavandar Avargal.
4. " K. B. Venkatrama Chettiyar Avargal.
5. " C. P. Kandaswami Mudaliyar Avargal.
6. " A. Rangaswami Mudaliyar Avargal.
7. " A. Odhivelappa Kavandar Avargal.
8. " K. N. Nanjappa Kavandar Avargal.
9. " V. S. Krishna Chettiyar Avargal.
10. " B. Puttusamiah Avargal.
11. " A. N. Raja Kavandar Avargal.
12. " K. P. A. Balasubramania Chettiyar Avargal.
13. " M. Sengoda Kavandar Avargal.
14. " P. Velayudham Pillai Avargal.
15. " R. Venkatesa Ayyangar Avargal.
16. " S. V. Ayyana Kavandar Avargal.
17. " P. Semba Kavandar Avargal.
18. " K. S. Ponnuswami Kavandar Avargal.

APPENDIX IV.

[Vide answer to question No. 1449 asked by Rao Bahadur C. V. S. Narasimha Raju at the meeting of the Legislative Council held on the 13th February 1926, page 504 supra.]

(1)

G.O. Mis. No. 1765, Revenue, dated 2nd October 1922.

It is understood that the Muttadar of Makaram in the Hill Golgonda taluk of the Rampa Agency Subdivision has been harbouring a gang of fituridars. This is a breach of the terms of clause I (d) of the sanad under which he holds the mutta (Appendix I to G.O. No. 3081, Revenue, dated 28th August 1918). As immediate action is necessary the Government direct the Agency Commissioner to resume possession of the mutta at once under the terms of clause II of the sanad and to send a report of the facts for final orders.

2. The Agency Commissioner is requested to submit proposals for the future management of the mutta in due course.

[13th February 1926]

3. The following telegram has been despatched to the Agency Commissioner.—

Telegram No. 1516-D/22-1, dated 1st October 1922.

Government direct you immediately resume possession Makaram mutta for breach of sanad—vide page 22, G.O. No. 3081, Revenue, dated 28th August 1918.

(By order of the Governor in Council)

E. W. LEGH,
Secretary to Government.

To the Agency Commissioner.
Copy to the Public Department

(2)

G.O. Mis. No. 13, Revenue, dated 4th January 1924.

Read—the following papers :—

(i)

G.O. No. 1765, Revenue, dated 2nd October 1922.

(ii)

From the Agency Commissioner, No. D. Dis. 2434/23,
dated 28th September 1925.

Order—Mis. No. 13, Revenue, dated 4th January 1924.

The Government approve the recommendation of the Agency Commissioner made in his letter R.C. 2 Camp/22, dated 18th April 1923, that the Makaram mutta in the Gudem taluk of the Vizagapatam district should be resumed permanently. They also sanction the following establishment for the management of the mutta.—

One village munsif on Rs. 15 per mensem.

One Accountant on Rs. 12 per mensem.

One talaiyari on Rs. 8 per mensem.

This sanction has been registered as No. 223 of 1923-24.

2. The reappropriation proposed by the Agency Commissioner is also sanctioned.

(By order of the Governor in Council)

E. W. LEGH,
Second Secretary to Government.

To the Agent to the Governor, Vizagapatam.
,, Accountant-General, through Finance Department.
,, Finance Department.
,, Public Department.

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(3)

CALENDAR AND JUDGMENT.

(For use in cases where there are more accused persons than one.)

District of Agency Division, Waltair.

Calendar of cases tried by the Agency Commissioner and First-class Magistrate of the Agency Division, Waltair.

Offence.	Date of					Explanation of delay and remarks.
	Report or complaint.	Apprehension of accused	Commencement of trial	Class of trial.	Sentence or order	
6th Sep 1922.	16th Sep 1922.	16th Sep. 1922.	11th Nov. 1922.	28th Nov 1922.	29th Nov. 1922.	

Judgment in Calendar Case No. 11 of 1922 on the file of the Agency Commissioner and First-class Magistrate of the Agency Division, Waltair.

Complainant.—Rex Imperator (Crime No. 24-22 of Krishnadevipeta station).

Name of accused		Age.	Father's name.
		YRS.	
Panasala Peddi Padal	...	22	Chitukulu Padal.
Caste or religion.	Calling.	Residence.	Taluk.
Bagata	...	Muttadar	.. Sarabhannapalem
			Gudem.

Offence.—Harbouring dacoits under section 216-A, Indian Penal Code.

Finding.—Guilty under section 216-A, Indian Penal Code.

Sentence.—Sentenced to undergo rigorous imprisonment for two years.

Accused, who lives in Sarabhannapalem, is the muttadar of the Makaram Mutta and he is charged with harbouring a gang of dacoits under Alluri Sriramarazu by supplying them with rice on the night of the 6th September 1922.

The gang, headed by Alluri Sriamarazu, Gam Gantan Dora and Gam Mallayya Dora, attacked the police station at Krishnadevipeta, fired into and stole the arms and ammunition. They had also looted Chintapalli station. They are clearly a gang of dacoits.

Prosecution witness 4 is the village munsif of Velagalapalem. He says that on the night in question the gang—about 50 in number under Sriramarazu, Gam Gantan Dora and Gam Mallayya Dora—came to his village and asked for supplies. He said he had none. Sriramarazu then sent him with a certain number of the gang to the accused. He asked the accused for ten kunchams of rice, but the accused said he had only five kunchams which he gave. The rice was taken to Sriramarazu in Velagalapalem and there distributed.

He is corroborated by P.W. 5, a ryot of the same village, who was sent with P.W. 4 and the dacoits to the muttadar.

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Prosecution witnesses 6 and 7 are ryots of Velagalapalem. They do not directly implicate accused, but merely speak to P.W. 4 being sent to the muttadar and to rice being brought back and distributed. They do not actually know who gave the rice.

Prosecution witness 3 is a man of Sarabhannapalem. He was forced to join the gang at that village and accompanied the gang at the looting of Krishnadevipeta Police station. He managed to escape from the gang at the Chintalapudi ghat. Subsequently he was present when the members of the gang came to Sarabhannapalem and rice was given to the gang by the muttadar. He told this to the late Mr Scott Coward when he visited the village a few days after.

Prosecution witness 1 is the head constable of Krishnadevipeta. He proves that the gang of dacoits under Sriramarazu looted the police station.

Prosecution witness 2 is a head constable of the Vizagapatam reserve on special duty for suppressing the gang. He was present with the late Mr. Scott Coward when he went to Sarabhannapalem and when P.W. 3 gave Mr. Scott Coward the information.

The accused denies the offence and puts it down to enmity with P.W. 4. He also says that P.W. 4 reported to him that the gang went to his village and he reported it to the police.

Accused's vakil produced a statement alleged to have been made by P.W. 4 and a report (Exhibit II), a copy of which is alleged to have been sent to the station. The report is to the effect that Sriramarazu came to Velagalapalem and left in the direction of Krishnadevipeta. Prosecution witness 4 admits his signature on the statement but says he did not make the statement.

Prosecution witness 4, who wrote both the statement and the report, D.W. 1, the Bariki of Makarom who says he took the report to the station, and D.W. 2 state that P.W. 4 did make the statement. I am inclined to think that P.W. 4 did make the statement. It must be remembered that P.W. 4 is to a large extent an accomplice; he was actually arrested in the first instance but subsequently released and such a statement and report which appeared for the first time in court would clearly be useful in case the muttadar and P.W. 4 got into trouble for giving rice. The head constable of Krishnadevipeta (P.W. 1) says he knows nothing of such a report. The accused did not summon the report alleged to have been sent to the police, and I do not believe that such a report was ever sent. It is most unlikely that the police would have suppressed the report if it had been sent.

In any case, it does not follow that the report was true even if it was sent. If the prosecution story is correct, the accused and P.W. 4 had every reason to suppress the true facts.

The enmity alleged between the accused and P.W. 4 is of the vaguest description. The only two witnesses who speak to it are D.Ws. 2 and 3. They say that there is enmity about some debts and also owing to a dispute between P.W. 4 and accused's father-in-law.

The defence fails to prove much. As for the prosecution, P.W. 4 is not a very satisfactory witness. He is an accomplice and I have no doubt he once committed himself to a statement which conflicts with his present statement. His present statement is however corroborated by P.W. 5 against whom there is nothing except that he is a cultivator under P.W. 4. He is also partially corroborated by P.Ws. 6 and 7.

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The most important witness is however P.W. 3. Against this man nothing is proved except that for a short time he was forced to join the gang. There is not the slightest reason why this man should invent a false story and he gave the information as soon as the police came to the village. He is in no way connected with the other prosecution witnesses.

In my opinion his evidence puts the case beyond doubt, though I see no reason at all to disbelieve prosecution witnesses 5, 6 and 7.

I therefore hold that the story of the prosecution is true and that the accused did supply the gang with provisions. That the accused knew the gang were a gang of dacoits is certain as the exploits of the gang are common knowledge all round these parts. He must have known that by giving provisions he was helping the gang to escape or to commit more dacoities and a man must be presumed to intend the natural consequences of his acts.

I therefore find the accused guilty under 216-A. Accused is a muttadar and a man in a very responsible position. His offence is a very serious one. I sentence him to two years' rigorous imprisonment.

J. R. HUGGINS,
24-12-1922.

(True copy)

C.C. No. 11/22.

I. List of witnesses examined for ---

Prosecution.	Defence.
(1) K. Jagannadham.	(1) Tutcha Gangulu.
(2) J. Appalaswami.	(2) Lota Rajulu.
(3) Allu Ramaswami.	(3) Desagiri Ayyanna Padalu.
(4) Setti Ramayya.	(4) Varlopu Atchayya.
(5) Mamidi Mallayya.	(5) Kuncha Balesu.
(6) Idavadi Venkataswami.	
(7) Pothuri Sanyasiah.	

II. List of exhibits filed for—

Prosecution.

Nil.

Defence

- I. Statement dated nil of Setti Ramayya to the Muttadar.
- II. Copy of report, dated 7th September 1922, from the Muttadar to the Sub-Inspector of Police, Krishnadevipeta.

J. R. HUGGINS,
Agency Commissioner and first-class Magistrate.

[13th February 1926]

APPENDIX V.

[Vide answer to question No. 1450 asked by Sriman Biswanath Das Mahasayo at the meeting of the Legislative Council held on the 13th February 1926, page 504 supra.]

Statement showing receipts under certain heads of revenue.

District.	Year.	Land revenue including peshkash (a).	Stamps (Judicial and non-judicial) (d).	Forest (e).	Registration (f).	Excise (g).	Irrigation	Share of this Government income-tax.
Ganjam	1921-22	RS 17,52,062 (b)	RS. 4,59,146	RS 69,085	RS 82,140	RS 11,44,888	RS. 6,14,845	Figures are not available.
	1922-23	17,70,971 (b)	4,71,654	97,130	87,377	12,04,576	6,13,431	
	1924-25	16,97,072 (c)	4,91,877	2,35,776	81,268	11,52,661	Complete figures not available.	
	1921-22	There are no records with Government from which the figures can be worked out.						
Ganjam Agency	1922-23							
	1924-25							
Vizagapatam Agency	1921-22							
	1922-23							
	1924-25							

(a) The figures in this column are for fasli year and not for official year.

(b) Excludes Agency.

(c) Includes Agency and relates to fasli 1333 (1923-24).

(d) The figures are for official year and include those for Agency portions.

(e) The figures are for official years.

(f) The figures are for Calendar years and relate to the registration district of Ganjam. There are no separate figures for Agency districts.

(g) The figures are for official years. Those for 1921-22 and 1922-23 exclude figures for Agency portion while those for 1924-25 include them.

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APPENDIX VI.

[Vide answer to question No. 1461 asked by Mr. P. S. Rajappa at the meeting of the Legislative Council held on the 13th February 1926, page 509 supra.]

Name of the local body.	Whether there is a representative of the Kallars.	Remarks.
<i>Madura district.</i>		
Kodaikanal Municipal Council.	Yes ; one elected ..	....
Bodinayakanur Municipal Council.	Yes ; one nominated.	....
Dindigul Municipal Council.	} No	The community forms a very insignificant minority of the population of the <i>municipalities</i> , the majority of the members of the community being residents of <i>rural areas</i> .
Madura Municipal Council.		
Palni Municipal Council.		
Periyakulam Municipal Council.		
<i>Trichinopoly district.</i>		
Karur Municipal Council.	No	Kallars are a negligible element in the population of the municipality.
Trichinopoly Municipal Council.	} No	Suitable men of the community are not available for nomination or for standing for election.
Srirangam Municipal Council.		
Trichinopoly District Board.	Yes ; three elected ..	....
Karur Taluk Board ..	No	A suitable representative of the community is not available.
Trichinopoly Taluk Board.	Yes ; one elected ..	....
Lalgudi Taluk Board	Yes ; two elected and one nominated.	....
Musiri Taluk Board.	No .. .. .	....
Perambalur Taluk Board.	No	Kallars are a negligible element in the population of the Taluk Board area.
Udayarpalayam Taluk Board and Union Boards in the Taluk Board area.	No	There appear to be few, if any, members of the community in the Taluk Board area.
Kulittalai Taluk Board.	Yes ; one nominated.

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APPENDIX VII.

[Vide answer to question No. 1432-A asked by Mr. R. Srinivasa Ayyangar at the meeting of the Legislative Council held on the 13th February 1926, page 489 supra.]

(1)

Statement showing the quantity of rainfall at the several authorized rain-registering stations in the South Arcot district for the week ending 30th January 1926.

Rain-registering stations.						Quantity in inches.
1.	Gingee	...	...	...	...	2.32
2.	Tindivanam	...	...	...	...	2.42
3.	Merkanam	...	...	...	...	3.15
4.	Vanur	...	...	...	...	2.07
5.	Villupuram	...	...	...	...	4.94
6.	Panruti	...	...	...	...	7.75
7.	Cuddalore	...	...	...	...	3.92
8.	Kurinchipadi	...	...	...	...	10.81
9.	Manambadi (Porto Novo)	...	...	...	...	7.58
10.	Chidambaram	...	...	...	...	7.24
11.	Mannargudi	...	...	...	...	10.05
12.	Srimushnam	...	...	...	...	3.37
13.	Tittagudi	...	...	...	...	2.92
14.	Vriddhachalam	...	...	...	...	11.03
15.	Kallakurichi	...	...	...	...	10.68
16.	Ulundurpettai	...	...	...	...	11.80
17.	Tirukkoyilar	...	...	...	...	5.66
Total						107.71
Average						6.34

(2)

Copy of report from M.R.Ry. A. UPENDRA PAI Avargal, B.A., Acting Collector of South Arcot, to the Secretary to the Board of Revenue, Land Revenue and Settlement, dated 5th February 1926.

Floods in South Arcot district.

The accounts which appeared in the papers regarding the floods are quite exaggerated. In Cuddalore town itself the river Gadilam overflowed its banks and some of the fields on the river banks as also some of the streets were submerged for a few hours in the early hours of the morning of the 29th January. By about 6 or 7 a.m. the flood began to subside and by noon the streets were free from water. Some of the roads in the district were also submerged for a day or so and were damaged in parts in consequence.

In the town of Vriddhachalam there was a breach of an irrigation tank in the vicinity and some of the streets were flooded for a few hours.

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I understand from the Executive Engineer that he had to allow the water in the Viranam tank to surplus and this caused the submersion of about 500 acres of paddy lands in Chidambaram taluk which were ready for harvest. He is not able to give me the full figures till now and this is only the first estimate. But the damage cannot be said to be very extensive because the floods everywhere seem to have subsided quickly.

I think that more total damage has been caused to the crops by heavy rains in most parts of the district than by the actual floods themselves. Unfortunately the rain fell just when the major portion of the paddy crops was ready for harvest and this usually causes an appreciable diminution in the outturn.

I have asked for full details from all the taluks to be sent up to me which I shall report later if necessary. But I do not think that anything serious has occurred anywhere as otherwise I would have had reports of it by this time.

APPENDIX VIII.

[Vide answer to question No. 1432-B asked by Mr. J. Naganna Hegde at the meeting of the Legislative Council held on the 13th February 1926, page 490 supra.]

Statement showing the quantity of rainfall at the several authorized rain-registering stations in the South Kanara district.

	Week ending			
	16th January 1926.	23rd January 1926.	30th January 1926.	6th February 1926.
1. Hosdurg	Nil.	Nil.	Nil.	1.68
2. Kasaragod	0.02	Nil.	0.02	1.25
3. Puttur	Nil.	Nil.	Nil.	2.25
4. Beltangadi	Nil.	Nil.	0.19	Nil.
5. Bantval	Nil.	Nil.	0.45	Nil.
6. Mangalore	Nil.	Nil.	0.01	Nil.
7. Mulki	Nil.	Nil.	0.02	Nil.
8. Karkala	Nil.	Nil.	Nil.	Nil.
9. Udupi	Nil.	Nil.	Nil.	Nil.
10. Coondapur	Nil.	Nil.	0.20	Nil.
11. Baindur	Nil.	Nil.	0.04	Nil.

[18th February 1926]

APPENDIX IX.

[Vide item IV " The Madras Village Officers, Restoration Bill at page 548 supra.]

BILL No. 10 OF 1925

**Report of the Select Committee on the Madras
Village Officers Restoration Bill, 1925.**

To

THE HONOURABLE THE LEGISLATIVE COUNCIL
OF THE GOVERNOR OF MADRAS.

We, the members of the Select Committee, have the honour to present the following report on the Madras Village Officers Restoration Bill (No. 10 of 1925).

2. The Bill was published in the *Fort St. George Gazette* in English on the 5th May 1925, in Tamil, Telugu, Kanarese and Oriya on the 26th May 1925, in Malayalam on the 2nd June 1925 and in Hindustani on the 14th July 1925.

3. The Committee met in Madras on Tuesday the 27th October 1925 and again on Monday the 2nd November 1925 to consider the provisions of the Bill. The important alterations are explained below.

4. *Preamble.*—The words " in certain cases " have been expanded to prevent misapprehension and to explain the existing legal position, viz., that while the re-division or re-grouping of the villages into the old units or the revival of the abolished offices is provided for by the existing law, the Act is needed to provide for the restoration of the old officers.

The third clause of the preamble has been inserted in accordance with the usual practice.

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5. *Clause 3, first portion.*—The words “or re-grouped” and “or re-grouping” have been inserted since the new villages were in some cases formed not by simple amalgamation of the old units but by a combination of parts of two or more villages and consequently the old units can only be restored by re-division *and re-grouping*.

For the same reasons the words “or re-grouped” have been inserted in the preamble.

The words “have power to” occurring just before clause (a) in the original Bill have been omitted. The result is that on the restoration of an office the Collector is bound to fill it in accordance with the procedure prescribed in this clause except in the case provided for by clause 5.

6. *Clause 3 (a).*—The clause has been amended so as to exclude from re-appointment a village officer who has since the date of the abolition of the office become physically and mentally incapable of discharging the duties of his office or has been convicted by a criminal court of any serious offence.

7. *Clause 3 (b)*—The amendment of this sub-clause follows the amendment of sub-clause (a). “Twenty-five years” has been substituted for “21 years” so that the interval between the abolition of an office and its revival—which may amount to 4 years—may not prejudicially affect any minor.

We think it unnecessary to provide by law for the re-appointment of a deputy since he has no hereditary right, and the omission of this provision will not prevent the re-appointment of any such person if considered suitable.

8. *Clause 4*—has been recast so as to define exactly the appellate powers of the District Collector and the Board of Revenue in regard to appointments and re-appointments under clause 3.

9. *Clause 5.*—The clause has been completely recast so as to make it clear that it is only where the persons entitled to office under section 3 are not available that the procedure provided by this clause applies and to indicate more exactly the person from whom kinship should be traced in that event. Provision is also made for the contingency of the re-appointed village officer declining office or failing to join duty.

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10. A copy of the Bill as amended by the Committee is appended. The Committee consider it unnecessary to republish the Bill as no material alteration has been made in it.

N. E. MARJORIBANKS.
 T. R. V. SASTRI.
 C. V. S. NARASIMHA RAJU.
 P. T. RAJAN.
 R. SRINIVASA AYYANGAR.
 P. N. MARTHANDAM.
 P. C. ETHIRAJULU NAYUDU.
 B. MUNUSWAMI NAYUDU.
 A. RANGANATHAM.
 T. A. RAMALINGA CHETTIYAR.
 E. W. LEGH.
 P. KESAVA PILLAI.
 B. RAMACHANDRA REDDI.
 R. VEERIAN.
 V. MADHAVA RAJA.
 R. ANKINEDU PRASAD BAHADUR.
 V. HAMID SULTAN MARAKKAYAR.
 K. SARABHA REDDI.

15th December 1925.

Bill as finally revised by Select Committee.

[Note.—The proposed alterations are printed in Clarendon type.]

BILL No. 10 OF 1925.

The Madras Village Officers Restoration Bill, 1925.

An Act to enable the reappointment to revived offices of the former holders.

WHEREAS since the commencement of June 1920, with a view to reduce public expenditure villages have been grouped or amalgamated, or village offices have been reduced under the provisions of the Madras Proprietary Estates' Village Service Act, 1894, or the Madras Hereditary Village Offices Act, 1895 :

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AND WHEREAS it is now deemed desirable and expedient, **where the villages are redivided or regrouped and the abolished offices are revived, to provide by law for the restoration of the officers who held office before the grouping or amalgamation or reduction as aforesaid ;**

And whereas the previous sanction of the Governor General has been obtained to the passing of this Act ; It is hereby enacted as follows :—

1. This Act may be called the Madras Village Officers' Restoration Act, 1925.

It shall extend to those parts of the Presidency of Madras to which the Madras Proprietary Estates' Village Service Act, 1894 (hereinafter referred to as the First Act), or the Madras Hereditary Village Offices Act, 1895 (hereinafter referred to as the Second Act) applies.

2. This Act shall apply to the village offices referred to in section 2 of the First Act or forming class (1) or (3) in section 3 of the Second Act.

3. Where new villages formed by the grouping or amalgamation of villages are redivided **or regrouped** into the old component villages, or offices which have been reduced are revived, the following consequences shall ensue,

if such formation or reduction was after the 1st day of June 1920 and

such redivision **or regrouping** or revival is made on or before the 31st day of December 1926 or such later date as may be fixed by the Local Government :—

The Collector shall, notwithstanding anything contained in the First Act or the Second Act,

(a) re-appoint the village officers who held such office at the date of such grouping or amalgamation or of such reduction **unless they have become disqualified on the grounds defined by sub-clause (c) or (e) of clause (1) of section 10 of the First Act or the Second Act ; or**

(b) re-register any person who stood registered at such date as the heir of the previous holder of the office if he continues a minor or if having attained majority is subject to the disqualification specified in clause (d) **but is not disqualified under clause (c) or (e) of sub-section (1) of section 10 of the First Act or the Second Act as the case may be and has not attained the age of 25 years ; or**

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(c) appoint the person who stood registered at the date aforesaid as the heir of the previous holder if he has attained majority and is eligible for appointment under the provisions of the Act applicable.

4. Any person who would otherwise be entitled to appointment or re-appointment under section 3 but is declared by the Collector to be disqualified therefor may within one month appeal to the District Collector whose order shall be final

Provided that if the District Collector happens to be the officer who passed the order of disqualification under section 3 an appeal shall lie within three months to the Board of Revenue whose decision shall be final.

5. Where by reason of death or disqualification under section 3, no person is available for appointment under section 3, or where by failure of the person entitled to join office within six months of a notice by registered post to his last known address, the office remains vacant, the vacancy shall be filled up in accordance with the provisions of the First or the Second Act as though the vacancy had occurred by the death of the person who held the office permanently on the date of the amalgamation or grouping or who last so held it before that date.

A person appointed under section 12 or 13 of the First Act or under clause (4) or (5) of section 10 of the Second Act to perform or discharge the duties of the office shall not be deemed to have held the office permanently.

6. No civil court shall take cognizance of a suit instituted to set aside or modify any order passed under this Act.

Nothing in this section shall affect the right of suit which a person may have under the provisions of the Second Act in cases falling under section 5.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 15th February 1926

The House met at 11 o'clock, with Mr. President (the hon. Mr. M. RUTHNASWAMY, M.A., Bar-at-Law) in the chair. 11 a.m.

PRESENT:

Ramaswami Ayyar, M.C., The hon. Sir C.P. Marjoribanks, C.I.E., C.I.S., The hon. Mr. N.E. Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.	Muttayya Mudaliyar, Mr. C.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Patro, Kt., The hon. Rao Bahadur Sir A. P. Sivagnanam Pillai, Kt., The hon. Diwan Bahadur Sir T. N.	Muttayya Mudaliyar, Mr. S.
Abbas Ali Khan, Mr.	Narasimhaachari, Rai Bahadur T. M.
Abdul Wahab Sahib, Mr. M.	Narasimha Raju, Rao Bahadur C. V. S.
Adinarayana Chettiyar, Mr. T.	Natesa Mudaliyar, Rao Bahadur C.
Anjaneyulu, Mr. P.	Noyce, C.S.I., C.I.E., I.C.S., Mr. F.
Appavu Chettiyar, Mr. D.	Obalesappa, Mr. B.
Arpudawami Udayar, Mr. S.	Pandrang Row, Mr. V.
Arumuga Nadar, Mr. P. K. S. A.	Pantulu Ayyar, Mr. V.
Boag, Mr. G. T.	Raghuchandra Ballal, Mr. K.
Chidambara Nadar, Mr. A.	Raja, Rao Bahadur M. C.
Cruz Fernandez Rao Bahadur	Raja of Ramnad.
Devendrudu, Mr. N.	Rajan, Mr. P. P.
Ethirajulu Nayudu, Diwan Bahadur P. C.	Ramachandra Reddi, Mr. B.
Evans, C.S.I., Mr. F. B.	Raman, Rao Bahadur P.
Gopala Menon, Mr. C.	Ramalinga Reddi, Mr. C.
Gopalan, Rao Sahib P. V.	Ramaswami Mudaliyar, Mr. A.
Guruswami, Mr. L. C.	Ranganatha Mudaliyar, Mr. A.
Hegde, Mr. J. N. Ganna.	Ross, Mr. T. M.
Kesava Pillai, C.I.E., Diwan Bahadur P.	Sagaram, Mr. P.
Khadir Mohiddin Elyas Khan Sahib, Mr.	Saldanha, Mr. J. A.
Koti Reddi, Mr. K.	Sami Venkatachalam Chettiyar, Mr.
Kuppuswami, Mr. J.	Sarabha Reddi, Mr. K.
MacDougall, Kt., Sir Alexander.	Sarvarayudu, Mr. K.
Madanagopal Nayudu, Mr. R.	Sasibhushan Rath Mahasayo, Sriman.
Madhava Raja, Mr. V.	Satyamurti, Mr. S.
Nadurai, Honorary Lieutenant.	Sesha Reddi, Mr. B. P.
Mallesappa, Mr. T.	Srinivasa Ayyangar, Mr. R.
Marakkayar Sahib Bahadur, Khan Bahadur V. Hamid Sultan.	Srinivasan, Rao Sahib R.
Marthandam Pillai, Mr. P. N.	Subbarayan, Dr. P.
Maruthavanam Pillai, Mr. C.	Sundaramurti, Rao Sahib P. V. S.
Moida Sahib, Mr. T. M.	Symons, Major-General F. H.
Muhammad Sahib, Mr. T. N.	Tangavelu Pillai, Rao Sahib T. C.
Muniawami Nayudu, Rao Bahadur B.	Uppi Sahib, Mr. K.
	Veerian, Mr. R.
	Venkatachala Padayachi, Mr. K.
	Venkataramana Ayyangar, Mr. C. V.
	Venkatarama Sastri, Mr. T. R.
	Venkatareddi Nayudu, Kt., Rai Bahadur Sir K.
	Zamindar of Kallikots.

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I

QUESTIONS AND ANSWERS.

[*Order made by the President of the Madras Legislative Council under Standing Order No. 15 on the 4th December 1924.*]

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpellator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question-time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.

Agriculture.

Bamboochi pest in South Kanara.

* 1466 Q.—MR. K. RAGHUCHANDRA BALLAL: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government are aware that the bamboochi pest has damaged the now standing second crop of paddy in the interior parts of South Kanara; if so, what is the extent in acreage of such damage;

(b) whether the Government have received any reports from the Collector of South Kanara regarding any such damages; if so, what steps have been taken to relieve the ryots affected; and

(c) if the Government have not received any reports in that behalf, whether they will be pleased to call for one?

A.—(a) & (b) No

(c) Yes.

Co-operative Societies.

Conference of the Registrars of Co-operative Societies at Bombay.

* 1467 Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Local Government was asked to depute some non-officials to attend the Conference of the Registrars of Co-operative Societies at Bombay;

(b) whether the Government consulted the Madras Provincial Co-operative Union in the selection of the non-officials to attend the above conference; and

(c) if not, why not?

A.—(a) The Government were asked to depute the Registrar of Co-operative Societies and in addition not more than two representatives from this province.

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(b) No.

(c) The Government consulted the Registrar of Co-operative Societies who is well acquainted with the leading co-operators in the Presidency.

Mr. S. SATYAMURTI :—“ Sir, with reference to the answer to clause (b) of this question, may I ask the hon. the Minister to state the reasons why the Government did not consult the Madras Provincial Co-operative Union ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ They thought that the Registrar was a very capable officer and would give all the information that the Government wanted and as regards the particular individual, I shall answer if the question is put.”

Mr. S. SATYAMURTI :—“ The question refers to the fact that certain non-officials were selected to attend the above conference. May I ask the hon. the Minister, in a matter of that kind, whether a non-official union like the Madras Provincial Co-operative Union is not at least entitled to be consulted along with the Registrar, and, if so, why it was not consulted ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ The Government consulted the Registrar, and I do not know whether the Registrar consulted that local body.”

Mr. S. SATYAMURTI :—“ Sir, may I ask in regard to this particular gentleman who was deputed, what are his eminent qualifications to represent the non-official co-operators of this Presidency ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ Mr. Siva Rao is a veteran worker in the co-operative field and has been connected with the movement ever since 1909 when the first society in South Kanara district was started. He has all along taken a prominent part in co-operative activities not only in this district but also in the Presidency. He has a wide knowledge of co-operative principles and practice and he is a man of sound judgment. I can think of no other non-official co-operator who is more likely to take an active part in the conference.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Was there only one non-official deputed, Sir ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ Yes.”

Mr. T. ADINARAYANA CHETTIYAR :—“ But in the answer I find that the Government were asked to depute not more than two representatives. May I know . . . ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI :—“ Yes, two ; of whom one must be a non-official.”

Development Departments.

Retirements in the departments under the hon. the Minister for Development.

* 1468 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Development be pleased to state—

(a) whether any statement is submitted to Government by the Account Officer periodically, showing the date when the senior officers in each of the departments under their control attain their fifty-fifth year ;

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(b) how many officers are expected to attain their 55th year in the departments of Agriculture, Co-operation and Veterinary during 1926-27 ;

(c) whether in any case exemption or extension of service has been granted during the current official year in the departments under the control of the hon. the Minister for Development ;

(d) whether they propose to sanction extension of service in the case of any of the officers of the Co-operative department who would attain the age of fifty-five ; and if so, for what reasons ; and

(e) if the answer to (d) is in the affirmative, what are the reasons for retaining superannuated men in service and whether qualified younger men are not available ?

A.—(a) Yes.

(b) One in each of the Agricultural and Co-operative departments

(c) No.

(d) & (e) The question has not yet been considered.

Education.

Demanding full school fees from some depressed class boys.

* 1469 Q.—MR. R. VEERIAN : Will the hon. the Minister for Education be pleased to state—

(a) why full school fee is demanded, viz., Rs. 2-8-0 as per receipt No. 9053, dated 13th November 1925, granted by the Rao Bahadur Calavala Cunnan Chetti's High School, Perambur, from one Adi-Dravida student reading in I Form instead of half fee according to rule 92 of the Madras Educational Rules ;

(b) why full school fees are demanded from T. N. Chengaliah and T. N. Kattiah reading in the III Form and I Form respectively in the Madras Christian College School, Madras, instead of half fees though they belong to poor Arunditya Depressed community ; and

(c) if the Government have no information, whether they will be pleased to call for the information ?

A.—The attention of the hon. Member is invited to the answer to question No. 1289. It is presumed that the student referred to in clause (a) is the same as the one in No. 3 clause (a) of question No. 1289.

MR. R. VEERIAN :—“ Sir, with reference to clause (a), may I know the correct interpretation of rule 92 of the Madras Educational Rules ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI (for the hon. Rao Bahadur Sir A. P. Patro) :—“ I want notice.”

MR. R. VEERIAN :—“ May I know, Sir, whether the Government give any compensation with reference to remissions of school fees that are being made in the case of poor students ? ”

The hon. Diwan Bahadur Sir T. N. SIVAGNANAM PILLAI (for the hon. Rao Bahadur Sir A. P. Patro) :—“ I want notice for that also.”

MR. R. VEERIAN :—“ Are the Government aware, Sir, that until the District Educational Officer took up the matter . . . ”

(The hon. Rao Bahadur Sir A. P. Patro entering)

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* Mr. R. VEERIAN :—“ Now that the hon the Minister has come, with your permission, Sir, I should like to repeat the questions that I put. I wanted to know the correct interpretation of rule 92 of the Madras Educational Rules.”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I cannot interpret it here.”

The hon. the PRESIDENT :—“ It is a matter of opinion.”

Mr. R. VEERIAN :—“ Will the hon. the Minister kindly explain rule 92 ? ”

The hon. the PRESIDENT :—“ Order, order. It is not a question for information.”

Mr. R. VEERIAN :—“ May I know, Sir, whether the Government give any compensation in the matter of school-fees concessions given to poor students ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ There are concessions given to poor students belonging to the depressed classes.”

Mr. R. VEERIAN :—“ I want to know whether any compensation is given to the management of the schools whenever they give concessions, according to rule 92 of the Madras Educational Rules, in the case of boys who are poor ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Yes, compensations are given according to the standard rates.”

Mr. R. VEERIAN :—“ Are the Government aware, Sir, that until the District Educational Officer took up the matter very vigorously with the Headmaster of that school, the concession was not granted ? In that case, Sir, may I know whether there is any binding on the correspondent of the school to act according to rule 92 ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ According to rule 92 the management admits students, and if it is reported that it has done so, the Government give compensation to the management according to the standard rates of fees.”

Mr. A. CHIDAMBARA NADAR :—“ May I know, Sir, whether the Madras Christian College School and the Cunnan Chetti's High School, Perambur, receive compensations from the Government ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I do not think, Sir.”

Mr. A. CHIDAMBARA NADAR :—“ May I know, Sir, whether half-fees are allowed in these schools for poor students ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ It is left to the management. If they are satisfied that the boy belongs to a poor family and if they admit him, then compensation is given to that school.”

Mr. R. VEERIAN :—“ Sir, there are several instances where the correspondent of the school declined to grant this concession even though the boys produced poverty certificates.”

The hon. Rao Bahadur Sir A. P. PATRO :—“ If any specific instance is brought to the notice of the Director, certainly it will be investigated.”

Mr. A. CHIDAMBARA NADAR :—“ May I know, Sir, whether any difference is made between schools and schools in the matter of compensation ? ”

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Mr. R. VEERIAN :—“ May I know, Sir, whether full remission of school-fees will be made ; because rule 92 of the Madras Educational Rules only intends to give half the rate of the standard school-fees ? May I know whether full remission of school-fees will be made according to that rule ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I want notice.”

Public Works.

Depressed class apprentices in Public Works Workshops, Madras.

1470 Q.—Mr. R. VEERIAN : With reference to question No. 913 answered at the meeting, dated 3rd November 1925, will the hon. the Minister for Education be pleased to state how many applications were received since 1st January 1923 from the members of the depressed classes offering their services as volunteers in different mechanical lines in the Public Works Workshops, Madras, and how many of them were actually employed ?

A.—Two applications were received and one man was taken as an apprentice.

Mr. R. VEERIAN :—“ Sir, may I know by whom the selection is made in the Public Works Workshops, Madras ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ By the Superintendent in charge.”

Mr. R. VEERIAN :—“ Is there any rule to the effect that candidates who have relatives serving in the department should be given preference ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I am not aware of any such rule.”

11-15 a m. Mr. R. VEERIAN :—“ I wanted to draw the hon. Minister's attention to the Order dated 10th May 1919 (paragraph 5), wherein it is stated that candidates who have relatives serving in the department will be given preference. May I know then why of the two candidates, only one was selected and the other not, though he has a relative serving in the workshops ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ He may not have been fit for it.”

Mr. R. VEERIAN :—“ Is there any age-limit and are there any minimum educational qualifications prescribed ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The hon. Member has got the rules in his hand and he can easily verify the matter.”

Mr. R. VEERIAN :—“ Is there any guarantee that the apprentices undergoing training for five years will get some appointment after their training course is over ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ That also appears in the rules which he has got and has read thoroughly before the hon. Member put the question.”

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Land Revenue.

Darkhast land for military pensioners in Allapuram village.

* 1471 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that Government in 1918 allotted Survey Nos. 9 and 10 in Allapuram village in Vellore taluk, North Arcot district, as cremation ground for the use of the Hindus in the said village ;

(b) whether the above survey numbers have been in use as cremation ground since ;

(c) whether steps are being taken to cancel the allotment of 1918 and to grant this land (cremation ground) to military pensioners on darkhast for cultivation ; and

(d) if so, at what stage the matter is at present ?

A.—The Government have no information in the matter which is within the powers of the Collector. Any person aggrieved by any order of the Collector may appeal to the Board of Revenue and if need be to the Government.

Mr T. ADINARAYANA CHETTIYAR .—“ With regard to the answer stating that any persons aggrieved by any order of the Board of Revenue in the matter of assigning what has been for so many generations a common cremation ground for the Hindus, is it necessary that it should be left to individuals to appeal? Is it not a matter which affects the whole Hindu population of the village and should not the Government ask the Collector about the matter without waiting for individual appeals ? ”

The hon. Mr. N. E. MARJORIBANKS.—“ I do not know whether it is a generation since 1918. The answer to the question is in the negative.”

Mr. T. ADINARAYANA CHETTIYAR :—“ At least for seven years it has been used as a cremation ground and as such it is sacred land. Will the hon. Member be pleased to call for information from the Collector ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ No, Sir. It is an ordinary case and may be dealt with in the ordinary manner and there is no reason for taking special steps.”

Mr. T. ADINARAYANA CHETTIYAR :—“ Cremation grounds have been held to be fairly sacred soil and should not be assigned for cultivation purposes especially when there is so much land available in North Arcot.”

Sriman SASIBHUSHAN RATH Mahasayo :—“ Is not the cremation ground a poramboke ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ It may be, Sir. Why not ? ”

Sriman SASIBHUSHAN RATH Mahasayo.—“ In this case, may I know whether it was or was not a poramboke ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ I do not know, Sir. It is stated in the answer.”

Sriman SASIBHUSHAN RATH Mahasayo :—“ Will the hon. Member secure the information ? ”

The hon. Mr. N. E. MARJORIBANKS :—“ The answer is in the negative.”

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Criminal Justice.

Alleged murder of a member of the depressed classes at Chettikurichi, Ramnad district.

* 1472 Q.—Mr. R. VEERIAN : Will the hon. the Law Member and the hon. the Home Member be pleased to state—

(a) whether the Government are aware that one Vellian, one of the leaders of the depressed classes, was murdered in the village of Chettikurichi, near Aruppukottai, Ramnad district, on 22nd September 1925, and about fifty houses of the depressed classes were also set on fire and burnt down to ashes on or about that date, owing to a dispute over a burial-ground of depressed classes ; and

(b) if they have received a mahazar on the matter, what steps they have taken already and with what results ?

A.—(a) The Government have ascertained that, on 22nd September 1925, forty houses of the depressed classes were burnt, and that the individual referred to was attacked and seriously wounded and that he died the following day and that a criminal case arising out of the occurrence is under trial before a magistrate.

(b) No mahazar on the subject has been received by Government.

Mr. R. VEERIAN.—“ With reference to (a), may I know at what stage the trial is ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I cannot say, Sir.”

Mr. R. VEERIAN.—“ May I know at least under what section of the Indian Penal Code has the case been launched ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ Presumably it is under the arson and murder sections, but I cannot say this definitely.”

Mr. R. VEERIAN :—“ May I know what has become of the letter which I handed over to the hon. the Law Member and which he was very kind enough to receive—I mean the mahazar letter ? ”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ That letter has been forwarded for investigation. And I may say that the Government feel that what has happened is a very lamentable occurrence and they will lose no time in sifting the affair because, so far as we can see, it is a very dastardly act. I cannot say more than that.”

Police.

Theft in arecanut gardens in South Kanara.

* 1473 Q.—Mr. D. MANJAYYA HEGGADE : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that much stealing goes on year after year in the arecanut gardens and from curing places and the gardeners are unable to check the same effectively ; and

(b) whether the Collector of South Kanara received any representation from the garden planters praying that some preventive measure similar to the Coffee Stealing Prevention Act VIII of 1878 be adopted to check thefts of arecanut and what action has been taken on the same ?

A.—The Government have no information and have called for a report.

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Murders in the Karkal taluk.

* 1474 Q.—Mr. K. RAGHUCHANDRA BALLAL: Will the hon. the Law Member be pleased to state with reference to question No. 826, asked by Mr. D. Manjappa Heggade, M.L.C., on 2nd November 1925 regarding murders in the Karkal taluk of South Kanara whether the Government have called for the information required and, if so, whether a statement on the subject will be placed on the table of this House?

A.—A statement* of the number of murder cases reported in the Karkal taluk from 1922 to November 1925, with details as to the number charged and the number which ended in conviction, is laid on the table. In none of these cases was the murder or alleged murder committed with firearms. Question No. 320 referred specifically to murders with firearms.

[Note—An asterisk * at the commencement of a speech indicates revision by the Member.]

II

QUESTION REGARDING THE DEATH OF A LAW COLLEGE STUDENT DUE TO THE ALLEGED REFUSAL OF ADMISSION INTO THE GENERAL HOSPITAL.

Mr. P. ANJANEYULU:—"Mr. President, before we proceed to the next item in the Agenda, I request, with your permission, to put an oral question regarding the deplorable incident that occurred in this city regarding the admission of a Law College student in the General Hospital which was refused though he was waiting from 8-30 am."

* The hon. the PRESIDENT:—"Has the hon. Member secured waiver of notice from the hon. Member for Government?"

Mr. P. ANJANEYULU:—"I have passed the question on just this morning. I find that the hon. the Chief Minister is absent. I do not know who is in charge."

The hon. the PRESIDENT:—"The hon. Member, Mr. Noyce, is acting for him."

Mr. P. ANJANEYULU:—"I may say, Sir, that the matter was reported in the Press, that during the time the particular student was suffering from dysentery, he had to be removed to the Rayapuram Hospital where also admission was refused on the ground that it was not a very urgent case, that he was a Brahman, and that by the time the admission was given the condition grew serious with the result the patient died later in the day."

Mr. F. NOYCE:—"I have no information on the subject at all."

Mr. P. ANJANEYULU:—"It has appeared in the *Hindu* and the *Swarajya* in the correspondence column in the issue of the 13th instant."

Mr. F. NOYCE:—"A report will be called for."

Mr. C. RAMALINGA REDDI:—"May I suggest to my hon. Friend that in view of the sensation caused by this case, the Government should not wait till the next meeting of the Council before supplying the information or the result of the inquiry, but should issue a Press Communiqué as soon as possible?"

Mr. F. NOYCE:—"The request will be considered."

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III

DISCUSSION REGARDING DELAY IN ANSWERING QUESTIONS.

* The RAJA OF RAMNAD :—" May I know, Sir, why only so few questions have been answered to-day? I should like to know how many questions with answers are still remaining in your office and how many questions sent to Government have not been so far answered and whether they have applied in those cases for extension of time as already laid down by your predecessor."

* The hon. the PRESIDENT :—" All the answers received up to date have been put in the list of Questions and Answers."

* The RAJA OF RAMNAD :—" Yesterday I drew the attention of hon. the Revenue Member to a case where a question has been answered after a delay of eight months. He told us that the matter was under investigation. Some of the questions which I sent some months back still remain unanswered, though I know that answers for them would not involve in any way much research or investigation. As an illustration, let me give the question asking why the Government had transferred the control over Deputy Collectors from the Secretariat to the Board of Revenue. A question like this which in its very nature cannot involve much labour or research for answering. I will appeal to you, Sir, in the circumstances, to enforce the rule regarding questions; for otherwise the answers will not serve any useful purpose. Sometimes we are greatly handicapped by not getting the answers in time to enable us to make up our mind regarding our attitude towards a certain resolution or a Bill. It will therefore greatly facilitate our work, if you would kindly enforce the rule and request the Government Members to be more prompt in giving answers hereafter at least."

* The hon. the PRESIDENT :—" In regard to the matter of delay in the answering of questions, I may tell the House that since the last meeting, I have got the office to make a list of questions which have been delayed for a long time. The list has been made out and several Government Departments have been addressed. There are not very many such questions, but I think about two or three have been delayed for as many as seven or eight months. In regard to these questions, the Members concerned have instituted inquiries and I am sure that after what has been said at this and the last meeting, the Government Departments will be a little more quick in the answering of questions."

* Mr. T. ADINARAYANA CHETTIYAR :—" I would like to make just one observation. I would like you to state for the guidance of Members the difference in the direction in which they will elicit answers in marking questions or starring them and leaving them unstarred. Sometimes, there are very many questions which we are disposed to star and which we would send unstarred, if there were some sort of assurance or some sort of understanding that they will be answered a little more promptly than starred questions. I find that on many days not even a single unstarred question has been answered. So we are in a perplexity to know whether there is any advantage at all in not starring."

* The hon. the PRESIDENT :—" That only shows that the proportion of starred to unstarred is very large."

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* Mr. T. ADINARAYANA CHETTIYAR :—" Because we have no clear lead in the matter whether we would get any advantage by not starrng a question, many of us probably fall into the error of starrng every question almost."

IV

DISCUSSION REGARDING BUSINESS OF THE DAY.

* Mr. A. RANGANATHA MUDALIYAR :—" Sir, apart from the Madras Village Officers Restoration Bill which is under consideration, may I know from you or from the hon. the Leader of the House what other work is before us for to-day. I understand for example that the Municipal Bill is not likely to come up."

* The hon. the PRESIDENT :—" The list of business will be gone through."

* Mr. A. RANGANATHA MUDALIYAR :—" If they are going to withhold any part of the business, we may be informed of that, Sir, so that we may regulate our programme."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" I can tell the House that the Bills dealing with the Local Self-Government Department will not be proceeded with to-day, so far as I have been instructed."

V

MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE IN REGARD TO THE INTERFERENCE OF PUBLIC SERVANTS IN ELECTIONS.

Mr. S. SATYAMURTI :—" Sir, I rise to move an adjournment of the House to consider a matter of urgent public importance, to wit, the interference by Government servants, particularly, Mr C. D. Nayagam, Deputy Registrar of Co-operative Societies, contrary to rules and notifications of Government, with the free exercise of franchise by the non-Muhammadan Rural Constituency of North Arcot district in connexion with the ensuing by-election for that constituency."

The hon. Sir C. P. RAMASWAMI AYYAR :—" I may say, Sir, that there has been absolutely no time for Government to make any inquiry or find out whether these allegations are correct or not. And therefore, unless some one will give any definite information, I am afraid I must disappoint the hon. Member for the University, because it is in the nature of things impossible to make any inquiry with a view to ascertain the rights and wrongs of this matter and impart any information. I may, however, in passing, point out with your permission, Sir, that under the Government Servants Conduct Rules, a whole-time Government servant cannot by canvassing or otherwise interfere with or use his influence in any way in an election to the Legislative Council except that he may record a vote if he is qualified to do so and in that case should not, as far as possible, give any indication beforehand of the direction in which he intends to vote. Not only that. Last year, there was a circular sent round to the effect that returning officers are requested to remind all Government, municipal or local fund servants that they are forbidden by canvassing or otherwise to interfere with or use their influence in any way in the elections to the Legislative Council and to the Indian Legislature, though they are at liberty to record, if they are entitled to, their vote. The Government, so far as they are concerned, have taken every step to see that these functionaries do not

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misuse their powers. If in particular cases there be dereliction of duty, it is not a matter on which the Government can possibly give an off-hand answer."

Mr. S. SATYAMURTI :—" Arising from what the hon. the Law Member has said, I had no doubt in my mind about the instructions or rules issued by the Government. Only if all our rules and laws were obeyed as rigorously as they ought to be, the whole world would be a heaven. My complaint is this, that these rules and notifications have not been obeyed by a certain specific official. I do not anticipate what I may have to say if you rule it in order, in case the House gives me leave, and His Excellency does not disallow it. I have got in my possession information which will convince this House, unless the Government are able to give other information, that these rules have been disobeyed not only in spirit but also in letter. My submission to you, Sir, is this. Unless something is done on the floor of this House between now and the 20th, there is absolutely no chance of the election proceeding with that freedom from official interference which I am sure the Government themselves want. I would therefore be much obliged if you kindly allow me to make my motion in view of the fact that from the information in my possession supported by other friends here in possession of personal knowledge, it will be found that active interference is going on and, if unchecked, will tend to seriously interfere with the freedom of election to a seat on this House."

Mr. R. MADANAGOPAL NAYUDU :—" In view of the fact that the hon. Member has drawn attention to the particular authorities concerned, is it not likely that some care would be taken that the elections are likely to proceed with that freedom from interference which the hon. Member wants ?"

Mr. S. SATYAMURTI :—" Sir, whether the hon. the Law Member would undertake to give a warning to Mr. C. D. Nayagam on my allegations is another question. My hon. Friend below the gangway can represent the Law Member to any extent and if I am given an undertaking that the Government would warn the officer concerned: 'Meantime these allegations have been made against you and we as Government tell you that you should not interfere with the elections.' I will be very much surprised if the hon. the Law Member should make such a statement."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Obviously I cannot give an undertaking of that kind. To do so would be to assume that Mr. C. D. Nayagam, or whoever else it is, has misused his powers in the manner indicated in the statement. But this I can say, and it is left to the hon. Member for the University to take the suggestion or not, and I do not want to coerce him to do so. If the information in his possession is given to me, I shall institute an inquiry into this matter if I consider that a case has arisen for instituting the inquiry. It has been pointed out that the time between now and the 20th when the election is to take place is so short that no Member of the House has any chance of agitating the matter on the floor of this House any longer. All that I can say is that I shall take the responsibility of making the inquiry if I am satisfied that there is a case for inquiry. I cannot say more than that. I do not think it will be fair to the officer concerned that I should say more, but I certainly do not say less."

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Mr. S. SATYAMURTI :—“ I am afraid, Sir, that the answer of the hon. the Law Member is as unsatisfactory as I thought it would be, because he says that, if I give my information and if he is satisfied by tests which I do not know, that a case, a *prima facie* case, has been made out for an inquiry . . . ”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ I may say, for instance, if it is a statement by an irresponsible individual? A that Mr. Nayagam has gone to him and talked to him in favour of a particular candidate, I would employ different standards of inquiry from those I would employ in a case, for instance, of there being *prima facie* proof about his interference. In the latter case, I would naturally proceed on a different footing. My hon. Friend may probably give me credit for being able to sift evidence to a certain extent.”

Mr. S. SATYAMURTI :—“ I am afraid not, as a Member of the Executive Council, Sir. (Laughter.) As a judge perhaps he may sift evidence, but not as a Member of the Government. Government never knows how to do it properly. It has never done and will never do. I am making no appeal whatever, but I am simply making a statement arising from the last statement made by the hon. the Law Member. I am asking for your leave and the leave of the House to make this motion not only with a view to the ensuing by-election but with a view to the ensuing general elections (Hear, hear). Between now and next March, when next we meet, there will be great opportunities for Government officials to directly or indirectly interfere with the elections (Hear, hear, from Mr. A. Ramaswami Mudaliyar); it seems to me that the interests and the dignity of the House demand (Hear, hear)—I am glad to hear it from my hon. Friend there, I hope therefore that there is agreement on the other side of the House with regard to this matter—that it is investigated on a basis where the fact cannot be disputed or doubted. Therefore, I regret very much that I am not satisfied by the assurance given by the hon. the Law Member, and would ask your leave to make this motion.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ I do not want to say anything more, Sir.”

* The hon. the PRESIDENT :—“ In order to enable me to be sure whether it is a matter of urgent public importance, I should like to know whether the facts alleged have taken place. So far as I can find out, there are charges made against a particular officer. But unless we are sure of the event or fact that the particular officer did behave as alleged, I do not see how I can rule that this is a matter of public importance. On the one side, there are charges made against the officer and there is no other evidence either in the newspapers or otherwise available to the public from which I might be sure that those acts have been committed by the particular officer in question because I have to see that the facts alleged have occurred. So far they are only in the region of charges.”

Mr. S. SATYAMURTI :—“ Sir, the motion raises two points—interference of Government officials generally and by Mr. C. D. Nayagam. With regard to Mr. Nayagam, I have in my possession an affidavit properly sworn before a village munsif by the President of a Co-operative Society of North Arcot district, alleging that Mr. Nayagam came to him and asked him to vote and

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canvass for the Justice party candidate, and ask the Inspectors and other officers to canvass also. I shall place it before the House now or at the proper time, whenever you may ask that it should be so placed. Secondly, with regard to the other Government officials, I have information in my possession which, I believe to be correct, that Mr. P. V. Nataraja Mudaliyar, a Commissioner of the Religious Endowments Board, went down to North Arcot district for five or six days. He took Mr. Padmanabha Mudaliyar in his car and went from place to place on his official tour of inspecting religious and charitable institutions and meeting and talking to leading members of the places and talked to them on the matter, asking them to support the Justice party candidate in the election."

* The hon. the PRESIDENT :—"Is Mr. Nataraja Mudaliyar a Government servant?"

MR. S. SATYAMURTI :—"Mr. Nataraja Mudaliyar is being paid by the Government through the Hindu Religious Endowments Board. As regards the point whether he is a Government servant or not, I would take the opinion of the hon. the Advocate-General, but as a layman I say he is a public servant certainly. He is a member of the Religious Endowments Commission, a public body. Those are the two main facts on which I venture to make this motion. Such evidence as there is in my possession I place before you. I believe that evidence to be true, and I believe that a *prima facie* case has been made out against the gentlemen. Whether in a court of law I shall be able to prove these charges beyond cavil or not, I am not in a position to say. But I submit with all respect to you that so long as a particular Member of this House is in possession of such information and evidence and says that he has got certain facts which he believes to be true and on which he bases certain serious allegations on a very important matter of this kind, the requirements of the rule regarding urgent public importance are complied with."

* MR. T. ADINARAYANA CHETTIYAR :—"I may also be allowed to submit in this connection that I have got further information from leading non-officials in the North-Arcot district, giving specific instances of interference by Government officials to the prejudice of the swarajist candidates, whose interests are made to be in jeopardy by such actions. Of course, this is not the moment to dilate upon it, and if you are pleased to give the opportunity to the House, I shall place all those matters before the House fully."

MR. A. RAMASWAMI MUDALIYAR :—"If it is a question of investigating into the conduct of all the non-officials and officials in North Arcot by the Government, I have got information in my possession that the district munsifs of Ambur and Vellore and the Sub-Judge of Vellore have acted in a manner unworthy of the position they occupy and tried to interfere with this by-election, and I trust that if this motion is going to be admitted, we shall have an opportunity of placing all these facts also before the House."

* MR. T. ADINARAYANA CHETTIYAR :—"We would welcome it."

MR. A. RAMASWAMI MUDALIYAR :—"If we have got definite information like this, I think the fair course for the officials concerned will be this—otherwise, I would have given notice of an adjournment motion myself—to wait until the election is over and to allow the defeated candidate to get the election invalidated before a properly constituted court or tribunal which

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would investigate into this matter. And if the court comes to the conclusion that undue influence has been exercised by these officials on the side of one particular candidate, then it will be time enough by an adjournment motion to bring the matter before this House and ask that the House do adjourn to consider the impropriety of the conduct of these officials and ask Government to take the necessary steps against them. Otherwise, owing to these allegations, the conduct of these officials will be torn to pieces in this House, and it would be a most unfair procedure on the part of this House that hon. Members on this side and on the other, by affidavits or other information, to attack the conduct of these officials without giving them an opportunity to explain it. I think it would be the more proper course that first they are permitted to appear in a properly constituted tribunal and defend themselves and after the court tries them and goes into the whole question in full—as it is in a position to do—and comes to a decision as to how far they interfered with the conduct of the election, then it will be time enough to consider this question. Otherwise, on what basis is the Government going to make its defence? Is the Government prepared to make any defence at all? This is a bare allegation based on an affidavit which is put before this House, and I have got equally reliable information to be placed before the House about other cases of interference. What has the hon. the Law Member or any other Member of the Government going to say on this adjournment motion? Nothing beyond the bare statement, I take it, that they will enquire into the matter. These are not the sort of circumstances in which the object would be usefully served by a motion like the one for adjournment before the House."

MR. S. SATYAMURTI :—"Sir, I am not prepared to accept the suggestion of the hon. Member which is like asking us to close the stable after the steed has been stolen. It is suggested that we should wait till this election is over and that we should go to a court of law to invalidate the election by proving these allegations. I am afraid that before the court of law several of the charges that we make will not invalidate the election, for under the election law, unless I am able to prove that the candidate or his agent connived at the exercising of or actively tried to exercise undue influence to procure a vote the election will not be set aside. If I have got information, I shall always make use of it as best I think, and there is nothing to prevent me from using it here in this House, though there may be a remedy in the court. I am not moving here on behalf of the Swarajist party's candidate, but only as an hon. Member interested in the conduct of the elections and the dignity of the House. If it is a matter of the candidate's getting the election invalidated, it would be open to the court of law to go into it and decide it. But I am not now proposing to go before the court of law. I am taking up this matter as a citizen, as a voter, as a Member of this Council interested in the freedom of these elections from such interference by officials. I do not know what the hon. the Law Member may or may not say. I do not propose to anticipate what he has to say. He will say that whether he will be in a position to say so or not will depend upon the admission of this motion. He will say, 'I shall be satisfied whether these facts placed before us are true. If these facts are true we disapprove of these alleged actions. And we shall enquire into these facts and shall punish such people who are doing such things.' And he may also add 'if after we have done like that,

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if hereafter ven after the public exposure in the Council they do so again, the Government will take more severe and exemplary action against them.' I hope that statement will be made later on. But the fact that the matter may be brought up before a court of law, and there is that remedy open, I say, cannot interfere with my right in this House to debate a matter of this great public importance. I submit again, that once allegations have been made, and my hon. Friend opposite supports me, the rule is satisfied. If the district munsifs and the sub-judges have acted in the manner alleged, I admit they are to be sacked, and no one will be more prepared than I am to support it. So, I submit that my hon. Friend on the other hand supports the motion for adjournment, and he has rather strengthened my position rather than weakened it."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" There is one aspect of the matter which has occurred to me and which I think it is my duty to place before the House, and it is this. Supposing allegations are made against an officer either by the hon. Member for the University or by the hon. Member for Chingleput to-day, it will be remembered that probably to-day is the last day of this meeting of the Legislative Council. The Council will not meet till the 2nd of March. And what will happen is this. I shall have to get up and say that I know absolutely nothing of all these things, that I have no information in my possession, that all these things may be accurate or may be inaccurate, but that I undertake to look into these matters. I cannot possibly in the nature of things say more, because so far as the hon. Member for University is concerned, it was only a couple of days ago, I think, that there was an idea that he might make a motion of this kind. I did not make any enquiries because I did not know anything about the only name that was mentioned. Till this morning, I did not know that district munsifs and sub-judges were also involved in this matter. But whatever it is, I think it is only fair to the officials concerned that the difficulties surrounding them should also be borne in mind by the hon. Members of this House. What will happen is that certain statements will be made against Mr. C. D. Nayagam to-day, and no answer can be given about them. Certain allegations may or may not be made against the others, the Judicial officers, and no statement can be made by me as regards them either. Sir, I think, this House is the custodian of the honour and the respectability and of the future of these officers who are serving under the Government. On the other hand, I state, and I reiterate with all seriousness from my place in this House, not solely in my own individual capacity but as representing Government, that Government always intend to and will always take severe notice of people who transgress the proprieties of their official conduct and interfere in matters in which it is not their province or domain to interfere. I may say that if the hon. Member for the University or the hon. Member for Chingleput place certain facts before me, I shall, not too meticulously, look into the matter and ask the local authorities to see to it that no suspicion arises in that direction and no room is given for such complaints in the future. That is the undertaking which I can give. I undertake now to say that the local authorities will be warned that these complaints have been made on the floor of this House and that they should see, whether there is any fact behind them or not, whether they are well-founded or not, whether any such allegations can be proved or not, they

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should see to it that no such allegations can legitimately be made. I undertake that in fact in the course of the next elections similar circulars will be issued to every district officer throughout the Presidency. And certainly there is an hon. Member in this House who co-operated with me during the last elections and who will be able to tell the House what careful and diligent steps were taken to see that the rules were observed. It may be that there is remissness of duty here and there. We cannot help it. But whenever that approaches a scandal, whenever there is legitimate and serious complaint, the Government will see to it that the complaint is removed.

"That is the undertaking I give. It is my duty to give it. Beyond that 11-45
I do not want to say anything more, and I certainly do not admit that these a.m.
or any other officers have misused their position. I conclude by saying that, in the interests of the officers concerned, my hon. Friend will see to it that there are no one-sided allegations made which will be difficult for me to contradict and which will affect their whole career. This is one thing. It may be that in the excess of zeal one might have done an indiscreet act. Whatever they may be, Government have to deal with the cases according to the circumstances arising in each. For the moment let the hon. Members take it from me that, to the extent to which I have already indicated and in the manner in which the circumstances of the cases may require, I will take action."

Mr. S. SATYAMURTI :— "I agree with the hon. the Law Member that this House is the custodian of the dignity and privileges of those who are serving this Government. I agree with him entirely. I hope he will also agree that this House is also the custodian of the electors whom we represent here. I am only anxious to secure, by making this motion, the equally valued privilege of the electors who send us here, viz., of seeing that the elections are held in the manner in which they should be held. I am grateful to him for the undertaking that he will reinforce these requirements and that he will see to it that no cause for complaint is given. May I just ask for one answer as to whether he will take steps with regard to this election which is to be held on the 20th and intimate to the officers concerned in the North Arcot district that the Government have been told by the Members of this Council of certain allegations, that they discountenance them, and that they will take severe notice of any lapses?"

* The hon. Sir C. P. RAMASWAMI AYYAR :—"I am prepared to do this and no more. If the hon. Member would give me the affidavit in his possession I will send it to the Collector and tell him, 'Here is an affidavit. Will you look into this matter and see that there is no room for any complaint.' If the hon. Friend from Chingleput will give me the names, I will certainly inform these officers of the allegations so as to see that these officers give no room for such things being said against them. I cannot say less nor can I say more."

Mr S. SATYAMURTI :—"I regret I have to deprive my friends of an opportunity of speaking. Under the circumstances, I may say I am satisfied. If I find later I am not satisfied, I do not give up my right of taking action once again."

* The hon. the PRESIDENT :—"The question is closed,"

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VI

ELECTION OF A MEMBER OF THE LEGISLATIVE COUNCIL TO THE
ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA
RAILWAY.

* The hon. the PRESIDENT :—" I have to announce that the Raja of Ramnad being the only candidate nominated is declared elected to the Advisory Committee of the Madras and Southern Mahratta Railway."

VII

ELECTION OF A MEMBER OF THE LEGISLATIVE COUNCIL TO THE
SENATE OF THE UNIVERSITY OF MADRAS.

* The hon. the PRESIDENT :—" I have also to inform the House that on the election held on the 13th February 1926 Mr. A. Ohidambara Nadar been elected to the Senate of the Madras University."

VIII

THE MADRAS VILLAGE OFFICERS RESTORATION BILL—*cont.*

Clause 3.

* Mr. T. R. VENKATARAMA SASIRIYAR :—" I move amendment No. 17 which runs as follows :—

For the words ' or offices which have been reduced are revived, the following consequences shall ensue ' in paragraph 1, substitute the words ' and new offices are created, or where the number of village offices which has been reduced is restored.'

" With your permission, I wish to omit the word ' thereby '. It is really to call attention to two classes of cases where new offices are springing into existence and where the holders of the old offices are to be restored "

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put and carried.

* Mr. T. R. VENKATARAMA SASIRIYAR :—" I move that in paragraph (3) for the word ' revival ' substitute the word ' restoration '. It is in order to use the same word as is used in the previous clause."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put and carried.

* Mr. T. R. VENKATARAMA SASIRIYAR :—" With your permission and the permission of the House, I do not move my amendment for the addition of the words at the beginning of paragraph (4), ' the offices so created or restored shall be hereditary and '. The discussion has already been brought before the House in respect of the restoration of offices which are hereditary. In so far as the offices are hereditary, they will be hereditary when they are restored. This amendment is unnecessary and therefore I do not move it."

The amendment was not moved.

* Mr. T. R. VENKATARAMA SASIRIYAR :—" I move that in item (a) for ' sub-clause ' substitute ' sub-section '."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put and carried,

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- * Mr. T. R. VENKATARAMA SASIRIYAR :—“ I move that
in item (a) before the semi-colon in the last line, insert the words ‘ or clause
(c) of sub-section (1) of section 11 of the second Act ’.

“ This clause refers to disqualifications under section 10 of the First Act or the Second Act. They don't cover clause (c) of sub-section (1) of section 11 of the second Act. It is an inadvertent omission.”

- * The hon. Mr. N. E. MARJORIBANKS :—“ I second it ”

The amendment was put and carried.

* Mr. A. RANGANATHA MUDALIYAR :—“ Sir, I have got some slight modification for this, I am sure the hon. the Revenue Member will see his way to accept it. Clause 3 (a) says that all those village officers who had held such offices shall be re-appointed unless they have become disqualified under (c) or (e). I want to say ‘ since become disqualified ’. My idea is this. Disqualifications that did not matter prior to revision should not be invoked to create disabilities now. The idea is that all those people who were in the offices should be restored. There should be no loophole for evasion of this principle.”

* Mr. T. R. VENKATARAMA SASIRIYAR :—“ The meaning of the clause, as it stands, is exactly the same as what the hon. Member wants it to be ‘ Who held such office ’ shows that they held the office notwithstanding any previous disqualification. I think ‘ have become ’ means ‘ have become disqualified afterwards ’.”

* Mr. A. RANGANATHA MUDALIYAR :—“ We not all not able lawyers like the Advocate General ; a layman like myself would like to have it cleared ”

* The hon. Mr. N. E. MARJORIBANKS :—“ I am a layman. With due deference, ‘ have become ’ in English means ‘ subsequently ’.”

* Rao Bahadur C. V. S. NARASIMHA RAJU :—“ All the disqualifications are mentioned in section 10 and here the clause confines itself to two classes of disqualifications, viz, (c) physical and mental incapability of discharging the duties and (e) conviction of a criminal offence. Supposing a man was convicted prior to the removal or he was mentally unqualified to hold office, that question will be examined in the case of reappointment. Whether these disqualifications had come into existence after his removal from office or were existent when he was removed from office and the officers did not notice them it is immaterial. I do not think my Friend will contend for a moment that if a man was mentally unfit previous to the amalgamation or grouping, he should be restored simply because this disqualification was there in existence previous to his removal. There is clause (b) which speaks of educational disqualifications and purposely that clause was omitted. If he was educationally unfit and if he was holding office previously, he could even now hold office.”

* Mr. A. RANGANATHA MUDALIYAR :—“ The disability existed prior to his removal. What I am submitting is that that was a disability of which the Government were aware and which did not preclude them from continuing him in office ; so, it should not be made use of subsequently for ousting him. You once allowed him to be in office, afterwards you should not say he should not occupy the office when conditions have not changed.”

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noon.

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* The hon. Mr. N. E. MARJORIBANKS :—" My hon. Friend's argument is that we should neutralize . . . "

Rai Bahadur T. M. NARASIMHACHARLU :—" There is another difficulty. Suppose, after the date of the amalgamation or regrouping, a person who is not restored has become disqualified and continues to be disqualified for a certain period but under this Act becomes qualified. When we read the clause as it is, it means that if he once becomes disqualified subsequent to that date even though he is qualified on the date the restoration takes place, he cannot be restored. The hon. the Revenue Member may laugh at laymen, but we are serious as lawyers "

* The hon. Mr. N. E. MARJORIBANKS :—" The matter is too subtle for me."

* Mr. A. RANGANATHA MUDALIYAR :—" I ask for the insertion of the word 'since' I understood the hon. the Revenue Member and the Advocate General to mean that only subsequent disqualification was likely to debar the reappointment."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Let the Advocate-General examine the point and give his opinion."

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I have mentioned that the words imply 'unless they have since become'. It is a continuing disqualification up to the point of consideration."

The motion was not pressed

Item (b) was next taken up.

Mr. T. R. VENKATARAMA SASTRIYAR -

In item (b), in line 2, for the word 'previous' substitute the word 'last'.

"This is only to bring to language of this Act into conformity with the other two enactments."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it "

The motion was put and carried.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I beg to move that—

'In the last line after the word "years" insert the words "and appoint some other person qualified to discharge the duties of the office until the person registered becomes qualified to discharge the duties of the office and is appointed thereto or until he attains the age of 25 years without becoming qualified in which case the vacancy shall be filled up in accordance with the provisions of sub-sections (2) and (3) of section 10 of the first Act or the second Act or sub-sections (2) and (3) of section 11 of the second Act as the case may be".'

"Sir, the ideas that I seek to introduce by these additional words were understood by the Select Committee to follow from the language of the original Acts themselves without any necessity for bringing these modifications specifically into this enactment. But as the two Acts contemplate the appointment of a substitute and his ultimate appointment or rejection, in reference to the age of majority, I thought that this section which provides for the appointment at the age of 25 would require a specific addition to the enactment similar to the terms of the original enactment. In any case, the

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ideas introduced in this amendment are the ideas which the Select Committee accepted. It is much better to introduce a provision specifically; it is with that object I have introduced the provision following the Acts of 1894 and 1895."

* The hon. Mr. N. E. Marjoribanks seconded the motion.

Rai Bahadur T. M. NARASIMHACHARLU :—"There is one difficulty. Suppose on the 1st day of June 1920, when the original grouping took place, the office-holder, who did not actually enter the office, was not exactly 21 years but a little below that. He was registered as the last office-holder and would continue so. Now you give the age of 25 years; the object is to restore that man. But he will be past 25 years on the date when this Act is going to be given effect to. The law allows three years for the man to qualify himself after he attained the age of 18. Suppose he was unqualified for a period of little less than three years; he was almost 21 in 1921. The grouping took place on the 1st of June 1920. Now from 1920 to 1926, if you count his age, it will be 25 and he will be fully qualified now. How are you going to meet such cases?"

* Mr. T. R. VENKATARAMA SASTRIYAR :—"I understand from the provision that such people will not be restored. If, say, within a month of the attainment of age of 21, he was still unqualified for office, on the expiration of that one month he would have been, under the provision of the original Act, treated as disqualified and some other person would have been appointed. If you were to extend it, there would have been a cutting out at the end of one month to a period of 25 years. If he is now past 25 years, the idea of the Select Committee was that he was not to be appointed, because he remained unqualified up till very near the time of attaining 21, and he would have been set aside a few days after according to the provisions of the original Act. We can only give four years by way of addition to the original 21 years given by the original Act. If he is 24, give him another year to qualify himself. The idea is to restore them to the original offices, giving them a further opportunity to qualify themselves. In some cases, it may not be sufficient even to give them time up to 27 years. 'Give them a further period' is the suggestion of my Friend. I think it is too much to ask that a person who has reached the age of 27 should be given a further period still for qualifying himself."

Rai Bahadur T. M. NARASIMHACHARLU :—"Suppose that man was past 19 and he had two years to qualify himself, and then this revision took place. If the revision had not taken place, he would have qualified himself and might have held the office. Even to such a person, 19 plus six years from June 1920 to December 1926 will be more than six years. So, he will not be restored. Suppose the revision takes place in September 1926; he will be past 26. Is it the object that without his fault—he had two years to qualify himself under the law—he was to be thrown out on account of the revision? That, I submit, would be doing him a great wrong."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—"What was in the mind of the Select Committee was that since 1st June 1920 the talaiyaris were reduced and, as they had nothing to do with the qualification or passing of examination, they would not be affected and would be restored straight on. The regrouping of the villages and the abolition of the offices of karnams and headmen took place subsequent to 1923."

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Rai Bahadur T. M. NARASIMHACHARLU :—" In 1921—August, September and November."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—" I am speaking from memory. This Council passed the Amendments to the Court Fees Act and the Stamp Act in 1922, and at that time there were negotiations between the Council and the Revenue Member for increasing the salary of the village officers, and an undertaking was given. After that, the regrouping of the offices was effected to find more money to pay these officers. Therefore, it must be subsequent to March 1922. No curtailment of establishment did take place for retrenchment purposes previous to that. The curtailment took place not in pursuance of the retrenchment policy, but independent of it. These were the opening remarks of the hon. the Revenue Member and, in a way, we have agreed to it."

The amendment was put and passed.

Clause 3 as amended was put and passed and added to the Bill.

Clause 4.

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P.m.

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, my amendment reads thus : In line 4 for the words 'one month' substitute the words 'two months'. The amendment is, is very simple and I hope the Government would accept it in view of the fact that we have carried a large number of their amendments. The one month's time allowed in the Bill is rather insufficient. We know that very often these orders are not at all despatched to the parties concerned with much delay and, in cases in which there are entries in the despatch register showing that the orders have been despatched, they never reach the parties for a long time. Further, the parties take some time to take advice as to whether an appeal might be filed or not. Therefore, it is necessary that instead of one month we should give them two months."

Mr. A. CHIDAMBARA NADAR :—" Sir, I have given notice of a similar amendment, but I shall be content with simply seconding this."

* The hon. Mr. N. E. MARJORIBANKS :—" One month, Sir, is the period fixed in the main Act, but if hon. Members wish that this matter should be further delayed for another month, I do not wish to oppose it."

The amendment was put and carried.

Rai Bahadur T. M. NARASIMHACHARLU :—" Sir, I may be permitted to move the amendment standing in the name of my hon. Friend, Mr. Krishna Rao. It runs thus :

" In line 4 after the words "two months" insert the words "from the date of the communication of the order " ."

" The arguments advanced by my hon. Friend from Coimbatore apply to this also. Because, it may be that the Collector passed the order behind the back of the parties and that it was delayed in transit for no fault of the parties for two months. In such cases, it may be urged that the two months having elapsed from the date of the order by the Collector, the parties have no right of appeal. I submit, Sir, it is a fundamental rule in all cases of appeal that the judgment must be pronounced in the presence of the parties. Here, there is no such rule at all. The order need not be passed in the presence of the parties. That being so, the two months' time fixed must commence from the

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date when the party concerned has knowledge of the order. And, the knowledge of the order can be got only by the communication thereof to the party concerned. I submit, whether it be one month or two months, the time for appeal should commence from the date the party had knowledge of the order. Because, the party may be ignorant of the order for two months owing to the action of interested parties. Interested parties might so arrange that for two months the party concerned is not made aware of the order. I submit"

* The hon. the PRESIDENT —“ What does the hon. Member want? Does he want ‘communication of the order’ or ‘receipt of the order’.”

Rai Bahadur T. M. NARASIMHACHARLU :—“ Sir, I amend it to read : ‘from the date of receipt of the order’.”

Mr. P. ANJANEYULU.—“ I second it for the reasons already mentioned by my hon. Friend. In very many cases, it so happens that orders are passed in the Collector's office and not communicated to the parties concerned at all. It is with very great difficulty that the parties get the orders personally. Therefore, whether it is one month or two months, it is not very important; because if the party is interested in filing an appeal, even within a month he will have it filed, only the order should be duly *communicated to him* seeing that there may be some agency which will try to prevent the order reaching the party concerned.”

*Mr. T. R. VENKATARAMA SASTRIYAR :—“ There is a decision of the High Court laying down that time for appeals under the Forest Act should be calculated only from the date of receipt of the order. That is the practice followed according to the rules of the Board. To put these words into the enactment will cause some inconvenience. It would mean that even in cases where the parties themselves or their legal advisers are present at the time the judgment is pronounced, the decision will have to be communicated to them. Further, the party concerned might, by some manoeuvre avoid the receipt of the communication; as some of my hon. Friends suggested the order may not be communicated to him by the manoeuvres of another party. In view of the fact that under the rules of the Revenue Board these appeals are actually permitted to be preferred within the period fixed in the enactment, from the date of communication to the party where communication is necessary, these words are not necessary.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ I am also a little doubtful about the utility of this amendment although I sympathise with its object. I am afraid there will be many difficulties arising out of it. What is there to show when an order was received by a party unless every communication is sent by registered post? There will be nothing to show that an order has been received by the party concerned. As has been suggested by the hon. the Advocate-General, even if an order is sent by registered post, the party may avoid receiving it. There will also be difficulty as to when he receives and when he is likely to receive it. All this difficulty will arise in the appellate court. There will be vagueness and enquiry and even in cases where he receives it, the record of such receipt in the post office will have been destroyed by the time the appeal comes for hearing and the parties will have to let in much oral evidence as to whether it was received or not. I have no objection to our having three months time for filing an appeal. But

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what I say is it must be from a definite date. Otherwise, there will be difficulties on both sides. The successful party may probably retard the sending of this order, or even see that it is not sent at all; or again, the other party simply for his own purpose may see that the order is not handed over to him at all by any department. Since we have got two months definitely from the date of the order, this amendment need not be pressed. The parties are expected to find out and get a copy of the order and not keep quiet for two months after the hearing. Further, most of these cases are represented by vakils and therefore I do not think any serious difficulty will arise. We should not even in these small matters give scope for unnecessary litigation."

* Mr. A. RANGANATHA MUDALIYAR :— "Sir, I was about to say the same thing which Mr. Venkataramana Ayyangar said. If a communication has to be made, it should be sent by the registered post."

* Mr. K. KOTI REDDI :—"I do not suppose even if we decide that the order should be communicated to the party by registered post, the order would reach the party safely since even that may not reach the party till some months. The best thing would be to amend it and say 'receipt of communication'. I do not think the Government need feel any difficulty. I request them to accept it. The Government can also send their communications through the office peons and that will put an end to all sorts of difficulties and manoeuvres in the matter."

* Mr. J. A. SALDANHA :—"I am strongly in support of this amendment for this reason. The hon. the Advocate-General mentioned the Standing Orders of the Board of Revenue. I am aware of them. How often are they changed? Every month correction slips are issued. The Standing Order mentioned by the hon. the Advocate-General might also be changed without the knowledge of this House and therefore, I say that we should have it as 'from the date of receipt of the order'."

"My hon. Friend, Mr. Venkataramana Ayyangar's objection is groundless. In these days, postal communication is within the reach of all classes of people. I do not think the party interested when he gets a communication from the Collector would refuse to receive or avoid receiving it. On the other hand, he would be very glad and anxious to receive it and see the contents thereof. If it is a notice coming from a creditor demanding repayment of money advanced, I can understand refusal to accept by the addressee. But in the case of a communication from the collectorate most people would be curious to know what its contents are and would readily open it. If it really happens that the postal notice takes months to reach the addressee, so much greater is the reason why this amendment is necessary. If a party comes to know the existence of an order, it is his interest to get it. For these reasons, I would strongly urge that the amendment proposed should be carried."

12-30
p.m.

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"Mr. President, Sir, I fail to see the necessity for this amendment. In the first place, the apprehension which is entertained that the communication might never reach an officer is rather unacceptable. In these days, as has been pointed out, very few cases are unrepresented by vakils. There is a stronger and greater objection and it is this: now that the accepted ruling of the courts is that the date from which limitation is calculated is the date of the receipt of the order, a change as suggested might act adversely in other cases and the

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privileges which might be enjoyed otherwise may be lost. Under ordinary canons of construction, if a certain provision has not been specifically made in a particular Act, and if in other Acts the same provision has been made, the presumption in the former case is that it contemplates that the provision made in other Acts should not prevail. Therefore, unless a court of law determines that only such and such an interpretation should prevail, it is very reasonable to consider that 'one month' would only be interpreted to mean one month from the date of the receipt of the communication.

"Then, Sir, various difficulties may arise if the amendment is carried. As has been pointed out, it would be very difficult if we adopt the words 'from the date of the receipt of the communication,' because whether it be by post or by tapal, it may afford opportunities for forgery and all complications may arise. If one party is vigilant, the other party will be equally vigilant and try to thwart the intention of the Statute and all sorts of complications may arise, which would necessitate the holding of inquiries as to whether the communication was received by the man to whom it was intended. All these things are completely new to a court of law and are not ordinarily introduced in a Statute book. If a provision such as the one that is proposed is introduced, it would be a peculiar system which is not known to any court of law. That, I submit, is a very strong argument against the introduction of this amendment, more especially as we have got two months which is quite a reasonable period of time. I think the difficulties are so great that they cannot be minimised and that no real purpose will be served by the passing of this amendment."

Mr. A. CHIDAMBARA NADAR :—"I want to know whether there is any rule existing in the Board's Standing Orders as to the dates within which appeals should be preferred to the District Collector."

* The hon. Mr. N. E. MARJORIBANKS :—"So far as I am aware, having been a Member of the Board of Revenue for some time, that is invariably the rule that is followed. But whether it is expressed in any definite place or not, I cannot say offhand."

The amendment was put to vote and lost.

* Mr. V. PANTULU AYYAR :—"The amendment that stands in my name runs as follows :—

"Omit the words "whose order shall be final"."

"The Collector is a local officer who is likely to have imbibed prejudices with respect to certain persons. In all cases, it is absolutely necessary, especially in the case of appointments to village offices, that the final voice should be vested in the Board of Revenue. Perhaps it may be argued that it would involve additional work to the Board of Revenue, but in this respect the appeals are few and far between and in the interests of justice, it is essential that the Board of Revenue should have the final voice in the matter."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I second the amendment. After all, these appeals and revision petitions will only be for a short time. It is therefore desirable that all possible safeguards are given to the parties involved and I would therefore appeal to the hon. the Revenue Member and the hon. the Advocate-General to see that some provision is made to enable the parties to take up the matter to the Board of Revenue. In the main

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Act, such power does exist and there is no reason why, in this particular Act, it should be taken away. Ordinarily appeals or revision petitions lie against the order of the District Collector and in this particular case, the appeals or revision petitions will only be small in number and the whole matter will end in one or two years. Anyhow, officers would be careful in passing their orders if there were appellate authorities who are empowered to revise their decisions. In these circumstances, we appeal to the hon. the Revenue Member and the hon. the Advocate-General to accept the amendment that has been proposed."

* The hon. Mr. N. E. MARJORIBANKS :—"The reason why no second appeal is provided for in this Bill is that the scope of the measure is very limited. The considerations on which the Collector can declare a man as unfit for the post are that he is mentally or physically incapable of discharging the duties of his office or does not possess the prescribed qualifications or that he has been convicted in a criminal court. I cannot see how these considerations can provide the material for an appeal to the Board of Revenue. We have allowed no discretion to the Collector except, in very few cases, where the grounds on which he disqualifies a man should be clearly set out by him in his order. In any case, the Bill does not take away the general power of appealing to the Board of Revenue or the Government."

* Mr C. V. VENKATARAMANA AYYANGAR :—"Here the expression used is 'whose order shall be final'. I do not know how the Board's ordinary power of revising the order of the Collector can be exercised."

Rai Bahadur Sir K. VENKATAREDDI NAVUDU :—"In the present Village Officers Act, the wording 'the Collector's orders shall be final' finds a place and yet the Board of Revenue have received appeals and revision petitions. I know that, in certain cases, the Board has interfered with the decision of the Collector and has revised the order of the Collector."

* Mr A. CHIDAMBARA NADAR :—"Section 3 of Act III of 1895 provides for second appeals of village munsifs in cases of their dismissal. Here, the officers who will be affected by the order of the Collector are really dismissed. I would prefer that these officers were given the opportunity of making a second appeal. As there is no provision in the present Bill giving them such a power, I should think that they should be allowed to put in at least a revision petition to the Board of Revenue. As the Bill stands at present, the decision of the Collector is final. In these circumstances, I support the amendment."

* Mr. T. R. VENKATARAMA SASTRIYAR :—"The scope of this Bill does not seem to be correctly understood. Clauses (a), (b) and (c) of section 3 provide for simple cases of restoration of officers who were in office or reregistry of any person who stood registered at such date as the heir of the previous holder of the office, if he continues a minor or appoint the person who stood registered at that date as the heir of the previous holder if he has since attained majority. I should say that no appeal is called for under the provisions. But as clauses (a), (b) and (c) exclude certain persons on the ground that they have become disqualified since the date on which they were dismissed or these having been minors at the time and since attained majority they are not qualified for the appointment. The disqualifications that are referred to are the person becoming mentally disqualified or being convicted

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since 1920. Whether on these matters we should provide for a second appeal is a matter for consideration. I submit that one appeal would be sufficient to meet the requirements of the case."

* Mr. R. SRINIVASA AYYANGAR :—"So far as the powers of the Collector to disqualify a man from considerations other than his mental incapacity are concerned, I have no dispute. But as regards the case of mental capacity, it is rather of a technical nature. Officers who pass orders declaring that certain persons are mentally unfit to hold the post may differ. Now, as a matter of 12-45 fact, there have been instances where the doctors themselves differ. In those p.m. cases, we should have the right of further appeal to the Board of Revenue. Such cases will be few and far between. There is absolutely no chance of the Board of Revenue being loaded with heavy work. Having regard to the limited number of cases and having further regard to the fact that in matters like this, even doctors differ, there is no reason why we should restrict the control of the Board of Revenue."

Rai Bahadur T. M. NARASIMHACHARLU :—"I want to know definitely what the amendment is. I can understand if the amendment refers to the decision of the Collector and says that there should be an appellate authority. But I cannot understand how an appeal can lie over the decision of the Board of Revenue."

* The hon. the PRESIDENT :—"We are only dealing with line 4 of clause 4 and not line 4 of the proviso of clause 4."

* Rao Bahadur C. V. S. NARASIMHA RAJU :—"Mr. President, Sir, I wish to bring to the notice of the House section 23 of the Act of 1895. This section deals with administrative orders as well as decrees passed in suits. Regarding administrative orders, it provides one appeal. Regarding suits, the section provides a second appeal. The provision in the present Bill deals only with administrative orders, and the wording of section 23 is followed, as far as possible, in the case of appeals against administrative orders. From every order passed by the Collector under section 6 or 7, an appeal shall lie within one month to the District Collector or within three months to the Board of Revenue. The decision of the District Collector or the Board of Revenue shall be final. In respect of sections 6 and 7, it has already been submitted that the Board of Revenue is exercising revisional powers. Such powers do exist even now under the Board's Standing Orders. Therefore, it is not reasonable that the provisions of this Bill should be far wider than the principal Act. I think we may leave the provisions, as they are."

The amendment was put to the House and lost.

* Mr. T. R. VENKATARAMA SASTRIYAR :—"I beg to move—

'In line 5 for the word "order" substitute the word "decision".'"

* The hon. Mr. N. E. MARJORIBANKS :—"I second it."

The amendment was put to the House and carried.

* Mr. T. R. VENKATARAMA SASTRIYAR :—"I beg to move—

'In line 1 of the proviso for the words "happens to be" substitute the word "is".'"

"It is only a correction of the language."

* The hon. Mr. N. E. MARJORIBANKS :—"I second it."

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The amendment was put to the House and carried.

Clause 4 as amended was put to the House and carried.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I wish to suggest that the clauses may be rearranged. This clause will come at the end and will be clause 6."

Clause 5.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I move—

' In paragraph 1, in line 4 after the word " notice " insert the word " sent " . '

" It is only an additional word to make the sense clear." —

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put to the House and carried.

Mr. V. PANTULU AYYAR :—" I move—

' In paragraph 1, in line 5 after the word " address " insert the words " and of publication of his name and last-known address in the concerned district gazette " . '

" If the communication is sent by registered post and if the village officer has shifted to some other place, the postal authorities will not take the trouble of sending it to that place. But, if it is published in the district gazette, some of his friends will have access to it and communicate the information. Therefore, it is necessary that it should be published in the district gazette."

* Sriman SASIBHUSHAN RATH Mahasayo —" I second it "

* The hon. Mr. N. E. MARJORIBANKS :—" I think this amendment is unnecessary. A publication of this sort is not likely to reach the people concerned any further than by what is already provided for."

The motion was put to the House and lost.

* Mr. R. SRINIVASA AYYANGAR .—" I move—

' In paragraph 1, in line 8 after the word " occurred " insert the words " on the date of the passing of this Act " . '

" Hon. Members of this House will observe that clause 5 appears to be somewhat involved and is not free from ambiguity. After dealing with the three classes of cases, death, disqualification or failure to join within a period of time, this clause postulates that the vacancy shall be filled up *as though* (I say stress upon the words *as though*) the vacancy had occurred by the death of the person. It seems to be, Sir, that, unless we have something definite to go upon, it is likely to land us in serious difficulties, for the fictional basis may vary. I will draw the attention of the hon. the Revenue Member, the hon. the Advocate-General and of the House to five or six cases which I will present. I wish that the matter should be placed beyond the region of doubt. Which is to be regarded as the date of the vacancy? When is the man to be regarded as having vacated the office? Which is to be regarded as the fictional position? Are we to take the actual date of death? Are we to take the date of the passing of the Act? Are we to start from a period of six months from the date of the passing of the Act? Are we to take the actual regrouping that may take place, as a result of passing this Act? Unless we

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have something definite to go by, different considerations will arise. I may inform the hon. Advocate-General of one concrete instance. Suppose a man died in the year 1923 with a divided brother and a sole daughter without any other issues. If you take the actual date of death, the brother will cut out the daughter. If you regard the date of the passing of the Act, by reason of the daughter begetting a son meanwhile, there is the contingency of the grandson cutting out the divided brother. Or, the daughter may adopt a son. I want to know what is at the back of the legislators. We should have one definite period from which the succession must be regarded. Is it the date of the old grouping? Is it to be the date of the actual death? Is it to be the date of the passing of the Act? Is it to be the date on which His Excellency the Governor or the Governor-General gives his assent to the Bill or some other date? Having regard to all these considerations, the safer course would be to have these words 'on the date of the passing of the Act.' That is likely to involve us in the least amount of difficulty. Otherwise, the matter would not be clear. Therefore it is, I request the hon. the Revenue Member and the hon. the Advocate-General to be more definite. They may have some other landmark. I should like to know exactly the particular landmark which they would fix for the purpose of tracing out the succession so that no further difficulties or complications might ensue."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I second it."

* Mr. T. R. VENKATARAMA SASTRIYAR :—" It is not necessary to introduce complications by putting any particular date as the date with reference to which we have to decide. I think the hon. Member has given reasons why, if we accept one date rather than another, it will lead to difficulties. The idea, so far as this section is concerned, is that when the time comes to make the appointment, the appointing authority considers the persons then in existence and chooses the person who should be appointed in the place of the person who died or was disqualified. If you use the words 'on the date of the passing of the Act', the result may be that, when you come to make the appointment, there is a person who can be appointed if you take a later date. If you take the date of the passing of the Act, he would have no chance of being appointed. The date on which the action required by this section is taken, will be the date with reference to which the officer will comply with the terms of the section. Is it really necessary to hamper the action of the officer? That will be the result of the amendment."

* Mr. R. SRINIVASA AYYANGAR :—" I have no objection if the hon. the Advocate-General would suggest some amendment to give effect to what he gave expression "

* The hon. the PRESIDENT :—" He thinks no amendment is necessary."

* Mr. A. RANGANATHA MUDALIYAR :—" I want to know whether it is the idea of the hon. the Advocate-General that, if a person is not available for appointment at the time of the death of the last holder of office it is possible to give the appointment to anybody who may be found entitled to it subsequent to the death of that person ? "

* Mr. J. A. SALDANHA :—" The point is not so simple as the hon. the Advocate-General thinks. In spite of subtleties of law, common sense would require that the matter should be made clear. There should be a definite provision as to the date on which the vacancy should be supposed to have occurred. The words in the clause are ' by the death of the person '.

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“Then why not say when? What is wanted is a clear statement, so that the officer, the Collector or the Revenue Board, is not faced by half a dozen subtle-minded lawyers—I think a number of friends in this Council will appear before the Collector—and is not puzzled as to what the Act is intended to mean. As it happens, many of our Acts are as vaguely worded as possible, and it has been left to the courts to settle the doubts—not one court but several courts—and if our Legislatures had been over-careful, I think a good deal of litigation and expenditure would have been saved. This vagueness in our Acts has led to the creation of a large amount of litigation and a large amount of expenditure is the result. I should say that if each of our Acts—I speak in general as well as in point of this Act—has been more carefully worded and if the hon. the Advocate-General and others who have any share in the responsibility in the careful wording of the legislation, I am sure that much of the work of our courts would have been saved. Therefore, if the Advocate-General thinks that the meaning of this section is so and so, why not say that? More than one pleader here has already found that there is a vagueness about this provision and I myself think that there is an ambiguity of expression. Why not clear it and face the difficulty now instead of leaving the difficulty to be faced afterwards by the Collectors and the Revenue courts, especially when a number of pleaders appear before them. Collectors and Revenue courts do not generally like pleaders to appear before them and they settle in a very off-hand manner, and that is what we do not want. There is of course the right of appeal and time is allowed to discuss matters. But it happens that our Collectors and other revenue officers are very impatient of discussion. They would simply brush aside all long judgments, in the cases reported on the ground that they want simple common sense. Where is the common sense point here? (Laughter.) My hon. friend the Advocate-General will say that it means one thing. Another friend will say that it means another. I think it might mean a third thing. Therefore, I say let us face the difficulty and solve it at this moment.”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“Mr. President, Sir, it occurs to me that this clause contemplates two or three contingencies. The clause where ‘No person is available for appointment’ contemplates the case where the previous holder or his rightful heir is dead and no one is available in his place; or it may be that the rightful heir is disqualified and cannot be appointed. There is also the contingency of failure of the person entitled to join office within six months, either because he is out of the country or because he is sick or for some other reason, whatever it may be. Now in all these cases, it will certainly be advisable to fix a certain date. The date mentioned in the said clause is the date of the amalgamation of grouping. I do not know, Sir, whether the contingency referred to by Mr. Srinivasa Ayyangar will occur; but it seems to me that a date ought to be fixed, and the proper date seems to be the date on which the Collector finds that no person is available or there is failure on the part of the person entitled to join office. That is the date on which we must suppose that a man should be found. Perhaps if that date is fixed, it will be after the Act and as such, it will be more convenient and it will meet future cases. I am only putting it as a suggestion and I have no amendment to move. I request the hon. the Advocate-General to consider the three contingencies and fix a date to meet all of them.”

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* Rao Bahadur C. V. S. NARASIMHA RAJU :—"Sir, between the period of the first amalgamation and the date of installation, there is one period that we have to take into consideration. How are the various cases that may occur during this period to be traced? At the date of the first amalgamation, there may be two possible cases. One case is the case of a post held by a qualified officer. The second case is that of an office registered in the name of a minor. In the case of a minor, if he continues as a minor, he will be registered. Suppose that minor dies during this period, how is the inheritance to be traced? According to the old Act, inheritance is always to be traced not to the minor but to the previous full owner, the office holder; and that class of cases is covered by the latter phrase 'who last so held it before that date'. Regarding the first class of cases, where there is a qualified holder and amalgamation takes place in that case at the time of the installation, there may be three possible cases. One is on account of the death of that full qualified holder during the period between the first amalgamation and the restoration. That is one class of cases. The second class of cases is disqualification coming into existence during this period. The third class of cases may be that one or two heirs succeeded him when he himself held office. His heir may be one but a second heir may come into existence on account of the first heir dying. Regarding these three classes of cases we have to fix the date. How is that to be traced? The clause clearly says that it shall be traced by supposing that he died. The death may be a real or a fictitious death, a fiction on account of disqualification. As regards actual death, I think there will be no difficulty, if we trace the succession from the actual date of death, but as regards the fiction, which shall be the date? The date of declaration by the Collector that he is disqualified will be the date, and from that date the inheritance is to be traced. Therefore, if we put the first class of cases as those where a qualified holder cannot be called upon to take up office on account of death or cannot be called upon to take up office on account of his failure to take up the office or on account of his disqualification in the latter two cases, it is better to fix the date and trace the inheritance from the date on which the Collector declares the disqualification or his unwillingness to take it up. I think an amendment to that effect will be more satisfactory."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I second the amendment, because I thought of this difficulty and from the wording of the section, I thought the time fixed would be six months. There is reference to the words 'six months' in the previous sentence and the next line says 'as though the vacancy had occurred'. There the matter stands. Therefore I thought the two should be coupled together. Anyhow, as there are so many difficulties, certainly it is necessary to fix some time. I thought the best thing would be the date of passing of the Act. That will make things clear. Then after five or six years, suppose, as Mr. C. V. S. Narasimha Raju stated, the question of death is to be traced, there may be difficulty as to when the death took place and we will have to go into the death certificate and other evidence as regards that and all those things. If we have to fix the date, according to Sir K Venkatareddi Nayudu as the date when the Collector takes up the question of appointment, there will also be some difficulty. One Collector may take up the question to-day, and another may take it up another day. One Collector may take up one village to-day and the neighbouring village another day and in the

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meanwhile something might have happened. There is no reason why what applies to the first village should not apply to the second village also. There is indefiniteness in all this. Why not fix the date of the passing of the Act? That is a fixed date. There may be some difficulties in some cases but all these are artificial limits and difficulties are bound to exist. No evidence will be necessary, no inquiry will be necessary if the amendment is carried and the date of the passing of the Act is taken into consideration. I do not think there is any reason why it should be objected to."

* Mr. A. RANGANATHA MUDALIYAR :—" Whatever we do, Sir, I do not want that the Government should do anything to encourage litigation. I fear that the provisions will have this undesirable effect. Suppose at the time of death there were no people to succeed. By giving six months' time and taking into account the people eligible for succession, you may encourage people to have recourse to adoption and other methods, and so contest the appointment. I do not want that any persons who are not eligible for succession at the time of the actual death should crop up later on to create trouble."

* The hon. Mr. N. E. MARJORIBANKS :—" There appears to be some defect as to the wording. If it is possible to take up the consideration of the question after lunch, there may be time to go into the matter and to arrive at something satisfactory."

* The hon. the PRESIDENT :—" We will take this up after lunch "

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I fear, Sir, it is not yet settled; I do not know what direction the actual amendment should take. One suggestion I understand is that in a case of actual death you will have to take the actual date of death with reference to which the succession has to be traced. On the other hand, Mr. C. V. Venkataramana Ayyangar suggested one fixed date for all the possible cases that may arise under section 5, namely, the date of the passing of the Act. If the House definitely agrees to some idea that ought to be embodied in the section, we can be ready after lunch."

* The hon. the PRESIDENT :—" May I suggest that those who took part in this debate have a conference with the Advocate-General and come to some settlement as to the form of words? Otherwise the debate will be repeated."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I would rather say that taking all this debate into consideration, the hon. the Revenue Member and the Advocate-General will come to some decision and we will abide by it."

The motion was accordingly postponed.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I move—

'that the word "permanently" be omitted in lines 9 and 10 of this paragraph'

"It will be re-numbered as a separate section in order to govern the interpretation of clause 5 as well as clause 3. We can define the words 'person who held the office' thus: 'A person is said to have held office if such and such conditions are satisfied'. The word 'permanently' is unnecessary. It does not occur in section 3 and it may therefore be omitted."

* The hon. Mr. N. E. Marjoribanks seconded the motion.

The motion was put and carried.*

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* Mr. T. R. VENKATARAMA SASTRIYAR :—" Sir, I move that
'for the word " clause " in line 2 of paragraph 2 in clause 5, the word
' sub-section " be substituted.'

" It ought really to be ' sub-section ' instead of ' clause '. It is a verbal correction."

* The hon. Mr. N. E. MARJORIBANKS seconded the motion.

The motion was put and carried.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I move—

' That after the figure " 10 ", the words " or sub-section (4) of section 11." be inserted.' 1-15 p.m.

" It is an inadvertent omission and I now move that the words may be added."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put and carried.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I move

' that the word " permanently " be omitted '

in the last line. The word has been omitted in the first paragraph also."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put and carried.

* The hon. the PRESIDENT :—" The clause cannot be put till after it is amended finally "

Clause 6.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" Sir, my amendment to this clause may be moved after my amendments relating to the new clause after clause 6. I hope I will be permitted to move the later amendments earlier."

New clause after clause 6.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I move the following amendments standing in my name :—

' After clause 3 insert the first paragraph of clause 5 as clause 4.

' Make second paragraph of clause 5 as clause 5

' Make clause 4 as clause 6 and

' make clause 6 as clause 7'."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendments were put and carried.

Clause 6.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" In clause 6 now re-numbered as clause 7, I move

' that for " section 5 " the words " section 4 " be substituted '."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put and carried.

Clause 6 was then put to the House, passed and added to the Bill.

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The Preamble.

Mr. T. R. VENKATARAMA SASTRIYAR :—" I move that

'in paragraph (1) for the words " or village offices have been reduced " substitute the words " or the number of village officers has been reduced ", and

'in paragraph (2) after the words " revived " insert the words " or where the number of village offices which has been reduced is restored."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendments were put and carried.

* Mr. T. R. VENKATARAMA SASTRIYAR :—" I suggest, Sir, with your leave a slight verbal amendment in clause 3—

'For the words " sub-section (c) or (e) of clause 1 of section 10 " the words " clauses (c) or (e) of sub-section (1) of section 10 " be substituted'."

* The hon. Mr. N. E. MARJORIBANKS :—" I second it."

The amendment was put and carried.

The House adjourned for lunch.

After Lunch (2-30 p.m.).

* Mr. T. R. VENKATARAMA SASTRIYAR :—" Sir, I move—

*'that in clause 5, paragraph (1), now clause 4, for all the words commencing with " as though ", the following words be substituted .
" as though the vacancy had occurred by the death on the date of the passing of this Act of the person who held the office on the date of the amalgamation or grouping or reduction, or, if there was no person who held the office on that date, as upon the date of the death of the person who last held it before that date " .'*

* The hon. Mr. N. E. Marjoribanks seconded the motion.

* Mr. R. SRINIVASA AYYANGAR :—" In view of the amendment just now moved by the hon. the Advocate-General, I withdraw my amendment. I accept his amendment."

The amendment of Mr. R. Srinivasa Ayyangar was by leave withdrawn.

The amendment of Mr. T. R. Venkatarama Sastriyar was then put and carried.

Clause 5 of the Bill as amended and as now renumbered clauses 4 and 5 was then put, passed and added to the Bill.

* The hon. Mr. N. E. MARJORIBANKS :—" Mr. President, Sir, I now move that the Bill be passed into law."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I am glad to be able to second the motion, if seconding is necessary. But I want just to say a few words. We must certainly congratulate the hon. the Revenue Member and the Government on bringing forward this Bill and getting it passed into law. However, we hope that there will be no difficulty in giving effect practically to the promise made by the hon. the Revenue Member that all the villages that were grouped will be redivided into their original units, and practically all the officers that lost their appointments at the time of this revision will get back their appointments."

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"Only one thing more I want to say. It may probably come up at the time of the Budget, but I may refer to it now. I would appeal to the Government to be a little more generous to these village officers. According to the figures given to us yesterday, 14,000 village munsifs will lose Rs. 2 each; that will be Rs. 28,000 a month. Thirteen thousand karnams are expected to lose at the rate of Re. 1 each, and that will be Rs. 13,000. But what is worse, Sir, is this. We who are sitting here and speaking about the menials and the people of the depressed classes so vehemently from our lips, lose our heart and forget our duty to them when it comes to a question of rupees, annas and pies so far as they are concerned. We are told seriously by the Government that, in their poverty, they will be compelled to reduce half a rupee a month from their pay; and that will affect about 44,000 menial servants. Well, Sir, that will, of course, bring in an amount to the coffers of the State to the extent of Rs. 22,000. Therefore, all told, the village officers and the menials will be contributing to the Government about Rs. 63,000 a month or about Rs. 8,00,000 a year. Has this Madras Government spending about 17 crores of rupees every year come to such desperate state of finances that they have to ask these poorly paid people to contribute to its coffers? What is this sum of 8 lakhs a year, when compared with the lakhs and crores we are contributing to the payment of the higher services? And if they really want retrenchment, the proper place for them to have it will be at the top, to reduce the salaries of the higher officers of all grades. This House itself passed some resolution, Sir, three or four years ago to the effect that the salaries of people getting over Rs. 1,000 a month should be reduced, and that the money so saved might be utilised for paying poor people. But now the Government ask that poor people who are starving, these village officers who are the foundation of the British Government, should starve further and bring these 8 lakhs to the coffers of the State. I think it is ridiculous that Government should go and ask for these small contributions from these poor people. Therefore, I appeal to the Government before they pass their opinions on the budget finally, that they would look into this matter carefully and see that, after all, this sum of 7 or 8 lakhs is recouped from the remission in the provincial contribution they are going to get. I hope they will consider whether they should not give the village officers, especially the menials, the pay they were getting hitherto. After all, Rs. 15 and Rs. 8 is not so high, and looked any way, it can be called only a 'starvation wage'. Hence I hope that the Government will not stoop so low as to compel contributions from these people and also compel them to do so saying that otherwise they would not pass this Bill. So I appeal to the hon. the Revenue Member and the hon. the Finance Member to look into this matter and see whether they cannot save 7 or 8 lakhs, so that this large number of village officers and menials may not be made to grumble against the Government and they may be able to devote their time and perform their duties much more efficiently and satisfactorily and loyally towards the Government. With this appeal I second this motion."

Rai Bahadur T. M. NARASIMHACHARLU. — "Sir, I am very glad that this Bill is about to be passed into law. I have got only one thing about which to appeal to the hon. the Revenue Member in this connexion. Now that we have increased the number of these village officers, there can be no doubt that they will have less work than what the present village officers are doing. And consequently, the Government can see eye to eye with the Local Self-Government Department and pass rules that these village officers do also the

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work, at least in part, that is assigned to them by the Local Self-Government Department. For some time past, it has been the complaint of the Government, that they cannot utilise their subordinates for the services of the Local Self-Government Department. I think, Sir, the Local Self-Government Department, owing to their poor finances and their inability to have a larger establishment and also owing to the fact that they cannot command the same influence with the people as the revenue officers, were greatly handicapped in the smooth and successful working of the local bodies. I have taken part in the discussion of this Bill and of the previous resolutions regarding the village officers with an ultimate view of requesting the Government to spare a portion of their time and their services to the successful working of the Local Self-Government Department also. I hope, Sir, that this will be borne in mind and whenever any request comes before the Local Self-Government Department to lend the services of revenue officials, these village officers, to the Local Self-Government Department for doing part of their duty, I hope the Government will not say, 'You had better look after your department. You need not come to us to seek help.' I hope, Sir, that this will be borne in mind by the hon. the Revenue Member."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU .—" Mr. President, Sir, I wish to join the other hon. Members of this House in these hearty felicitous speeches in congratulating the hon. the Revenue Member on his bringing forward this Bill and seeing that it is passed. The Bill is not a day too early. Under the stress of financial necessity, under the craze—if I may use that word—for retrenchment, an unhappy act was done and it required no time to the Government to see through their fault. And the country all over now will rejoice in the Government reinstating these officers in their places which they so much value. Sir, of late years the village headman has fallen on evil days. Times were when village officers were much respected and very high officials used to receive them with great respect. Later on, the village munsif's salary was placed, in some villages at least, lower than that of his accountant. Still later, the ordinary courtesies to which he was entitled were withdrawn, and men who, for the simple accident of having joined Government service perhaps passing through the portals of the University and becoming clerks and revenue inspectors, got into the superior ranks, began to treat these village officers in a manner which was unknown before. I have only to say this thing, Sir. Let the Government remember that these village officers are the foundations of the Government (Hear, hear.) True it is that they are at the bottom, they are on the lowest rung of the ladder, and yet you have built your foundations upon the village, and the village munsif is the mainstay of the village. He is the maker of the public opinion of that place; although winds may sweep over the villagers, although winds of various kinds of political thought may sweep away all kinds of lighter beings, the village munsif has always stood firm as a rock, loyal to the core. And you can always depend upon his loyalty. If you want to have the mainstay of your Government strong and stable, take care of the bottom, take care of the bedrock; and that is represented by the village munsifs. It is easy enough to think very highly of education and educated men. I have the highest regard for them. But let them not forget their past. Let it be remembered that the village headmen were really headmen at one time and if to-day there is peace and contentment in the country, that peace and contentment is not merely due to the peaceful administration that

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you have given us but also to the contentment of the ancient families that have stayed by you in good time and bad. Let him be supported by Government in all his troubles."

Mr. P. ANJANEYULU :—" I heartily give my support to every sentiment expressed by Mr. C. V. Venkataramana Ayyangar as regards the pay and prospects of the village officers. But I am sorry to see when these village officers who lost their posts in the regrouping of the villages have again to be reappointed, one of my hon. Friends from Cuddappah making the suggestion that Government should impose certain extra duties on them and requesting Government to lend their services to local bodies. I do not know for what reasons. I would ask the House to consider whether these village officers should serve the local bodies for nothing. If it had been thought fit to make contributions for the services, then it would be time enough to lend the services. As it is, these village officers have 42 different duties to perform in these villages and possibly the Local Self-Government will add another 42. Therefore, I hope Government won't grant this portion of the hon. Member's request. As regards the pay and prospects, Sir, if they are to be asked to take less pay, then it is like the saying 'Unto him that hath more shall be given and from him that hath not the little that he hath shall be taken away.' Instead of giving them more, if we were to take away what was promised to them in the previous Council, woe unto that day. I therefore request the House to think of substantially increasing their pay and not curtailing it."

* Mr. K. KOTI REDDI :—" Mr. President, Sir, I join with my hon. Friends in supporting this Bill. Before voting on this Bill, I would ask for some information from the hon. Member with regard to the position of certain class of people who are not actually provided for in this Bill. That is, Sir, in connexion with the deputies of the village officers who have been appointed under clause (c) or (e) of the first or second Act. Sir, the position of the deputies is really as good as the position of the village munsifs in places like Salem and Tanjore where their offices are not hereditary. There are innumerable instances where, on account of the conduct of the village officers, deputies have been appointed not for any small period but for a very long period. What usually happens is this. When such serious conduct is noticed in the village official there is a provision that so long as that person is alive, neither he nor anybody else in his family should be appointed to that place but a deputy should be appointed. So much so, in many cases, deputies are kept for 10, 20 and 30 years. So I would appeal to the hon. the Revenue Member to treat them as he has treated the village officers above referred to. So long as the previous order lasts, he ought to be given the same chance as others are given. The Select Committee say that they think it unnecessary to provide by law for the reappointment of a deputy since he has no hereditary right and the omission of this provision would not prevent the reappointment of any such person, if considered suitable. No doubt, no provision is necessary under the Act. I hope they would be treated as village officers holding permanent appointments. The discretion that is no doubt vested in the officers 'if found suitable' is already there. Such discretion, no doubt, vests with regard to others also. What I would request is to issue some orders to officials to treat the deputies also equally and as far as possible to restore them again unless they come under disqualifications that apply to all other people. That is one request that I have to make. Secondly, Sir, some remarks have been made in regard to the pay of

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the officers I am one of those who really feel that whatever pay that is given particularly to the village munsifs and to a certain extent to the karnams is really spent, Sir, for good purpose. But considerations of finance might impede the Government from doing what they ought to do towards that community. But, Sir, there are some considerations which ought to be borne in mind by the Government in apportioning the amount amongst them. They have no doubt told us that they won't pay more than what they are already spending on the village officers. With regard to the village munsifs, there is a difference of opinion. Some claim that they ought to be paid more. Others would be fairly satisfied with whatever they get. I have come across some instances where they really feel strongly that they are being paid less than the karnams considering their position that they are the heads of the villages. I have pointed out to them the analogy of the Secretary of State's pay being less than that of the Viceroy. But they could not understand all that. What they told me was this. If this pay is not considered as pay but as honorarium, they will be very much satisfied. Otherwise, they would very much regret to take an amount less than the pay of the karnam. With regard to the pay of the karnams being reduced the position is different. The pay of the village munsif need not necessarily depend on the actual work turned out. Because he gets pay not for the amount of work that he does but for the influence that he can command and for the responsibility he undertakes. Sometimes he is being made to pay for the trees that are lost for causes for which he is not responsible. It is for the responsibility that he is paid. So, nobody can weigh their work in terms of rupees, annas and pies. We cannot divide the village munsifs into different grades for pay. With regard to the karnams, it is very different. Karnam is merely an accountant. His pay depends on the work turned out. In a number of villages, the work turned out by the karnams is much higher. In a wet village the work of the karnam is much more than an ordinary dry village. I will give another instance. The work of the karnam in a village whose kist is 8,000 or 9,000 is much more than in a village whose kist is 800 or 1,000. Therefore, it is really hard to ask the karnams to receive the same pay in both the cases. They say that you have been treating the horse and the ass in the same way. You had better divide the karnams into two or three grades and let them be paid according to the work turned out. It seems to me that this will be much fairer than paying everybody the same pay. I don't see why this should not be done. Again, Sir, there are certain assistant village munsifs. I think they will be treated as others have been done. One more point has to be touched, Sir. My hon. Friend from Cuddappah said that, as a result of the passing of this Act, the village munsifs will have much less work than at present. I do not know how far it is true. Arithmetically, it will be true. My hon. Friend is a good deal responsible for all these troubles of the village munsifs and karnams. If I am right, I think he is one of those who said in the first reformed Council that the village munsifs and karnams have very little work and they may be reduced."

Rai Bahadur T. M. NARASIMHACHARLU :—" I never said that. I do not like all these things should be said at election time. I repudiate it especially as it is made in election time."

* Mr. K. KOTI REDDI :—" If that be true, I have no complaint. I believe they are quite honest. But the whole trouble is due to that. I do not want that these village munsifs ought to be given more work. It is not because

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that they will not be in a position to do more work. They will be useful in the collection of taxes. But, if unhappily they are entrusted with this work, they will be under the obligation of the Local Self-Government Department and the result will be that persons in the taluk boards and the district boards will be in a position to wield undue influence over these village officers which the hon. the Law Member particularly ought to take into account. It is really a serious matter. Some village munsifs, I understand, are already doing collection work for the local bodies on a percentage basis on the collections they make to the Local Self-Government Department. Once they do this, the impression will be created that they are under obligation to do work for the presidents of taluk boards and district boards and they are likely to be influenced by them. So, I really wish that the hon. the Revenue Member is not persuaded by the arguments that are advanced by my friend who wants to give them more work.

“With regard to the pay of menials, I think it is absolutely impossible 3 p.m. to cut it down any further. Their pay was increased, not along with the village headman and karnam but two or three years previous to that. It was after a thorough enquiry that the pay of the menials was increased to Rs. 8. There was a belief among them that their office being hereditary they should keep to it; but for that feeling very few would do duty for Rs. 8. They could earn a wage of 4 or 5 annas a day easily. Four annas is the minimum. I believe the Government will be in a position to increase the pay of village officers when their financial position improves. I would request the hon. the Revenue Member to give me some undertaking as to what would be the position of the deputies who stand more or less on the same level as other village officers. Whatever discretion is placed in the lower subordinate officials is likely to be abused. So, I wish the hon. the Revenue Member to inform the subordinate officials that, if the deputy has been doing his duty properly, he should be treated on a level with the village officers and although his office is not hereditary, he should be similarly restored, unless he is under a disability which applies to the other people also.”

* Mr. R. SRINIVASA AYYANGAR :—“Mr. President, I desire to join with others in offering my hearty congratulations to the hon. the Revenue Member for having successfully piloted this Bill. When the Bill was before the Select Committee, he was kind enough to accept most of our criticisms and suggestions and his attitude in the open Council yesterday and to-day was worthy of praise. He has done the barest justice, and by getting this Bill passed, he has earned—and I think very rightly—the gratitude and affection of a large number of persons who were thrown out four years ago and who would soon be restored by this Bill. I am glad that this longstanding grievance has been redressed.

“With respect to the pay of these village officers, I heard the hon. the Revenue Member say that there should be some differentiation made in the matter of pay between the village monigar and the village karnam. There is a feeling that no distinction should be observed in that respect. But whatever the financial considerations may be with the Government in the matter of restoring the old scale of pay of these officers, I, for one, should make an earnest appeal to the hon. the Revenue Member to see if he cannot restore the old scale of pay to the village menials whose pay is already low

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and to cut down which even by a few annas does not seem to be fair. I have not the slightest doubt that he will review the situation and reconsider the position with respect to the pay of these village menials."

* **Diwan Bahadur P. KESAVA PILLAI** :—"I beg to offer my most hearty thanks to the hon. the Revenue Member for all the trouble he has taken in drafting this Bill and getting it passed into an Act. I am glad I had the good fortune of voicing the majority of the Members of this House by moving a resolution of which this Bill is the result. And I have got the satisfaction of seeing at any rate one of the resolutions passed by the non-official Members of this Council having been taken into consideration by the Government and given effect to in the form of this Bill, for which the hon. the Revenue Member deserves our grateful and sincere congratulations."

Mr. R. VEERIAN :—"I also give my hearty congratulations to the hon. the Revenue Member for having successfully piloted this Bill in connexion with the restoring of village officers and menials who were thrown out of employment during the recent amalgamation. Now, Sir, I want to convince the hon. the Revenue Member to the effect that even the pay of Rs. 8 is not at all an adequate sum. If the menials are reinstated, I am sure they are going to get only Rs. 7-8-0, as recommended by the Select Committee. Sir, if we invite a guest to our house, we feed him fully with delicious meals. Now, what is going to happen, if these menials are to get only Rs. 7-8-0 per mensem, while the ordinary coolie gets 12 annas per day? When we calculate, Rs. 7-8-0 works out at about 4 annas a day. Now, a man ought to take two meals a day, and in an ordinary hotel they charge 6 annas per meal. So, how is it possible for any ordinary human being to live on Rs. 7-8-0 per mensem? Actually I know that the village menials take only conjee water. Is it not therefore right and proper that they should be paid at least as much as would enable them to take some rice and some broth? Well, Sir, I can prove that these village menials are responsible persons. Their responsibility mainly consists in collecting the revenues and carrying the amount to the treasury. They look after all the Government properties also, viz., valuable trees, buildings, etc. If the village menials fail to co-operate with the village official, I am sure the village official will become a nonentity. Moreover, Sir, the village menial serves as a sort of village police. If there is an unclaimed dead body, the village menial has to remain by its side through night and day till he hands it over to the regular police for disposal. He is a very responsible man; ordinarily these village menials have put in 25 to 30 years' service. Therefore, I think that it is very essential that they should get at least their old standard of pay, viz. Rs. 8. The village officials have their own mamools. Therefore, it will not be difficult if an adjustment is made with the pay of the village officials, namely, the monigars and karnams. It may be said that the village menials also have their own mamools. But they get their mamools only if they go and beg. But in the case of village officials, the mamools come to their house very honorably (laughter). I hope these observations will appeal to the hon. the Revenue Member. I am really proud of his sympathy for the poorer classes of people. Therefore, I think that my appeal will not go in vain and the village menials will be restored to their old scale of pay, i.e., Rs. 8 per month in order to keep their soul and body together."

* **The hon. Mr. N. E. MARJORIBANKS** :—"Mr. President, Sir, in the first place, I thank heartily those members who have made complimentary references to me. I should also state that, as regards the status of village officers.

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I agree very much with what Sir Venkata Reddi has said. The Government consider that of their servants none are more efficient, more hard working and more loyal than the village officers. It is mainly, Sir, for that reason that the Government have introduced and supported this Bill.

"As regards the amount of money we may justly spend on these village services, I must ask the hon. Members to remember that the total cost of these services has risen from 71 lakhs to 119 lakhs. That is an increase of 48 lakhs on 71 lakhs, and the Government feel that in the present state of finance of the Province it will not be possible for them to undertake to find larger sums for these services. The distribution of the cost, i.e., the different rates at which the different classes of village servants should be paid, is a matter on which various opinions have been expressed in this Council. The Government put their views tentatively before the House, and after consulting members of all sections of opinion in the Select Committee they have decided to adopt the revised proposals they recommended and to proceed as I indicated in bringing the report of the Select Committee before the House.

"There were some questions regarding the duties of village officers in regard to local bodies raised by my hon. Friend from Cuddapah. As regards that the question of what duties the village officers should do and which duties they should not be called upon to do for local boards was a subject of discussion between the Minister for Local Self-Government and the Revenue Department, I think, two years ago, and a definite understanding was arrived at and orders issued accordingly.

"As to the other question relating to those who do not come within the scope of the Bill because they have not hereditary status, such as the deputies, the principle on which Government go in this matter is that where villages are reconstituted and offices are restored, the old office-holders should be reappointed if it is practicable to do so, and it is the desire of the Government that this should be done. I think that covers the main points that have been mentioned by hon. Members."

The Bill as amended was then put to the House and passed into law.

IX

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1925-26.

Grant XIII.

* The hon Sir C. P. RAMASWAMI AYYAR :—"On the recommendation of His Excellency the Governor I move—

'that the Government be granted an additional appropriation of Rs. 2,100 under Grant XIII—25—Jails and Convict Settlements—Charges on account of Mappilla and other State Prisoners—Reserved'.

"Mr. President, I may at once explain the position which has already ³⁻¹⁵ been elucidated in the note. Under the Devolution Rules it will be noticed ^{p. m.} that prisons, prisoners (except State prisoners) and reformatories are subject to legislation by the Indian Legislature. Construing that, the Right Hon'ble the Secretary of State and the Government of India have arrived at the conclusion that the term 'State prisoners' should be confined to those dealt with under the Madras State Prisoners Regulation. The entry in the list of subjects has accordingly been amended. Now, there are about ten persons

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who are dealt with under the Ganjam and Vizagapatam Act and the Mappilla Outrages Act, four under the former Act and two under the latter Act. These people are paid allowances, some at Rs. 30 per mensem, some at Rs. 50 per mensem and some others at Rs. 10 per mensem, according to their status and position. It is necessary that that charge should be regularized and that they should be paid the appropriate allowance. I may say that the Finance Committee has approved of this demand."

* The hon. Mr. N. E. Marjoribanks seconded it

Mr. K. UPPI SAHIB :—" Sir, I move—

'to reduce the allotment of Rs. 2,100 by Rs. 100.'

I have given notice of this cut in order to discuss the conditions of certain prisoners who have been released and of certain others who are still in jail. After the Mappilla rebellion, there are a number of people who have been arrested and kept in jail."

The hon. Sir C. P. RAMASWAMI AYYAR :—" Sir, my hon. Friend is not altogether right in moving this cut under this grant. I think it is more in place under the next grant I am going to move. If my hon. Friend wants to raise the question of the expediency of keeping out of Malabar, Mappillas who have been released from jail, I think it ought to come under the next grant, as the amount required under this grant is intended for the actual maintenance of certain prisoners."

Mr. K. UPPI SAHIB :—" I want to refer also to the allowance paid to these people. There are prisoners who have been released. Recently four people were released and are now kept in different places. These persons who have been released were in prison, long before the rebellion began, for security proceedings. They were released after the rebellion began and they were living outside the martial law area. All on a sudden they were re-arrested and, without any trial, kept in jail. When this question was raised in this House some time ago, the hon. the Home Member (Sir Arthur Knapp) then said that there was no case against them and that all that the Government knew about them was that they were leading innocent lives but that their relations were implicated in the rebellion. So, on account of this implication of their relations, they were kept in jail for two and a half years. Recently they have been released and one of them is kept in Madras and the others are at Salem, Tanjore and other places, given an allowance of Rs. 8 per mensem. Can we think of a man living in Madras on Rs. 8 or Rs. 10? All these people have been forced all on a sudden to live among strangers. They have neither friends nor relations in the places where they now live. With Rs. 8 or Rs. 10, can a man drag on under such conditions? These people, before they were clapped in jail, were men of some status in society and were living a decent life in their respective areas. The only crime they had committed was that they were Khilafatists. I was a Khilafatist myself and I am even now a Khilafatist. I must say no Muslim Member in this Council will say that he is not a Khilafatist. The only fault of these poor people was that they said that they were Khilafatists and Non-co-operators and refused to give security."

Mr. ABBAS ALI KHAN :—" I am not now a Khilafatist."

Mr. K. UPPI SAHIB :—" I am sorry for the gentleman. I say these people should be given a decent allowance, and the three people arrested just before the rebellion broke out and kept in jail without any trial should

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be released and, if not permitted to go to Malabar, should be given an allowance. There is no case made out against those people and there is no case against them at all. By keeping these people from their wives and children their families suffer and are unable to eke out their living. I appeal to Government to allow them to go home and lead peaceful lives.

" There was another case in a jail where a prisoner was suffering . . . "

* The hon. Sir C. P. RAMASWAMI AYYAR :—" I did not want to interrupt the hon. Member ; but these cases referred to by him are not among those for whose maintenance I have now moved a grant. If he will forward their cases to me, I will look into them and, if the allowance now granted to them is inadequate, I will see what can be done. But that is a different matter. This grant is intended only for the maintenance of those who are dealt with under this heading. That is what I would commend to his attention."

Mr. K. UPPI SAHIB : -" I am going to wind up. All that I wanted to say is that the four persons who are sentenced to long terms of imprisonment but released as an act of mercy by the Government have not been permitted to go to Malabar and are given a small allowance. I request Government to increase the allowance."

* Sriman SASIBHUSHAN RATH Mahasayo —" I propose a reduction of Re 1 in the grant now moved in order to discuss the desirability of enhancing the allowance given to the Deo brothers of Kalyansingapore (Jeypore). In Jeypore, there is an estate called Kalyansingapore, and these Deo brothers were living there. They are known as Sunder Narayan Deo and Krishnachandra Deo. During the time of their father, this estate went into the hands of the Jeypore Maharaja. These brothers went to assert their claim to the estate or zamindari. They took quiet possession of the zamindari and collected rents. Instead of going to court and resorting to law to dispossess these people, the Maharaja of Jeypore applied to the Government and the Government, under Regulation II of 1819, made them State prisoners. I do not want to discuss here the policy which urged the Government to make them State prisoners. I am only concerned here in requesting the Government to give them a suitable allowance. Regulation II of 1819 enjoins that suitable provision shall be made for the support of the State prisoners according to their rank in life and to their own wants and to those of their families. The Deo brothers have a status and rank in life and the allowance now given to them, about Rs. 100 a month, is quite inadequate. It is much less than what petty clerks get in the Secretariat. The Deo brothers get Rs. 50 each."

* The. hon. Sir C. P. RAMASWAMI AYYAR :—" Rupees 130 a month."

* Sriman SASIBHUSHAN RATH Mahasayo :—" I said about Rs. 100. They were first externed from the Agency and interned at Vizagapatam. There they lived for some time. Now, about a month ago they were asked to go away to Berhampur and are interned there. The mother of the two gentlemen has stopped away at Vizagapatam ; because their creditors at Vizagapatam have to be paid. Since they cannot repay their borrowings from the maintenance allowance given to them, they were obliged to keep their mother at Vizagapatam, as if in mortgage, and go away to Berhampur. At Berhampur, during the last two months, they have not been able to secure a decent house for Rs. 15 or Rs. 20, for, a decent house can be had only for Rs. 30 or Rs. 40."

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* The hon. Sir C. P. RAMASWAMI AYYAR :—" Thirty rupees house-rent has been provided."

* Sriman SASIBHUSHAN RATH Mahasaya :—" This Rs. 30 is included in the allowance of Rs. 130, I understand. Therefore Rs. 30 for house-rent and Rs. 100 for other wants is not, I submit, a sufficient sum to keep their family above want. I know that when they were in Jeypore, this Maharaja of Jeypore who advised the Government to take drastic steps against these Deo brothers was paying them a much higher allowance and, from the list that I have of the retinue of these people, I find that they had seven maid-servants allowed to their family ; so that, it will be easy for the House to infer what the status of the family was. If you have sufficient reason for keeping them as State prisoners by all means do so, but give them a decent allowance and do not keep them starving almost to the point of death with this scanty allowance. I understand that these two State prisoners have applied to the Government for enhanced allowance and, in spite of repeated reminders, nothing has so far been done to relieve their want. They have been sent far away from their place, and the little property they have at Kalyansingapore is under distraint. Nothing is got from their lands, and they are now left to themselves in a place unknown to them subject to various difficulties. In the town of Berhampur they have been subjected to many difficulties. One of them is in a bad state of health. He had to consult the District Medical Officer of the place, but he would not treat him for nothing. I was requested to pay for that expense, and I did it out of pity for the boys. It is because that a piteous appeal was made to me that I am putting this case before the House and before you, so that a decent allowance may be given to the Deo brothers. If you are satisfied that you have to keep them as State prisoners, if you are satisfied that your policy is right in keeping them as State prisoners, do so by all means, but give them a decent allowance. Agitation in the press has not been enough to draw the attention of the public to this matter, but if public opinion was roused on this question, I am sure it would have roused the same amount of indignation of the public as the imprisonment of people in Bengal under Regulation III of 1818 has roused. My purpose is to draw the attention of the House to the fact that the Deo brothers are given a short and scanty allowance, and I appeal to the hon. the Law Member and also the hon. the Revenue Member who is in charge of the portfolio of Agency, to see that a decent allowance is given to them. You cannot have it both ways. You cannot take away their income, place them under so many restrictions, extern them on the one hand and intern them on the other, take them out of the Agency and restrict their movements even in the plains and then starve them there with a small pittance called allowance. I consider the object of granting this low allowance is to coerce them to come to some compromise with the Maharaja of Jeypore whose cause, I think, the Government has been espousing. I have got papers in my possession to show that this is not far from the case."

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* The hon. Sir C. P. RAMASWAMI AYYAR :—" I should not have interrupted my hon. Friend, but I think it is my duty to repudiate the suggestion made by him, namely, that the Government have been espousing the cause of the Maharaja of Jeypore or acting in his interests. If the hon. Member wants to make that statement, I should be prepared to meet that charge, and I do hope that if he thinks that he is impelled by a sense of duty to give expression to his feeling that the Deo brothers were maliciously persecuted by this Government, that he will do so deliberately and formally. But I think he must make that statement after giving notice."

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* **Sriman SASIBHUSHAN RATH Mahasayo** —“No doubt it is beyond my province now to make the allegation that the Government are behind the Maharaja to coerce the Deo brothers to come to some terms with the Maharaja of Jeypore, but the circumstances under which I am making that statement are quite different, and if I place those circumstances in another form before this House, it will be evident to them how it was unnecessary for the Government to have intervened in a private matter like this.

“Now coming to the main question it is simply to provide the Deo brothers with a decent allowance that I have tabled a motion for reduction of the grant. The provision of a scanty allowance to the Deo brothers leads us to many suggestions and inferences, and I do not think I am wrong in making my own inferences after looking into the whole file in this case. Anyway, I appeal to the hon. the Law Member and his Colleague the Revenue Member to see the justice of my complaint and provide a little more money for the medical treatment of these brothers and also for the wants of themselves and their families. I have nothing more to add than to make this appeal to the hon. the Revenue Member and the hon. the Law Member to consider whether it is not fair that they should be given a decent allowance.”

* **Rao Bahadur C. V. S. NARASIMHA RAJU** —“Sir, in connexion with the deportation of Deo brothers, my hon. Friend, Mr. Rath, has drawn the attention of this House on one or two occasions. I am not supporting the Government in the matter of deportation, but on all these occasions he has been furnishing wrong information to the House as being facts. So far as the dispute regarding the title of the Maharaja of Jeypore to the estate of Kalyansingapore is concerned, it was litigated by the Maharaja of Jeypore, and the matter went up to the Privy Council in 1892 and the Privy Council definitely upheld the title of the Maharaja of Jeypore to the Kalyansingapore estate and he has put in a petition for the execution of his decree. Subsequently, there was another litigation between the Maharaja of Jeypore and the Deo brothers, and the matter went up finally to the High Court and all the Courts including the High Court held in favour of the Maharaja of Jeypore. Therefore, on the question of facts or law the Maharaja of Jeypore has got a good title to the estate of Kalyansingapore. Last year, there were some disturbances created in that area and the ryots who may be said to belong to that inflammable class of Khonds denied payment of rent to the Maharaja. The Agent of the Governor at Vizagapatam did take steps under the Regulation II of 1839, and all of us opposed taking such a step. We do hold the view that these brothers ought to be tried in the regular courts and awarded the punishment which they deserve. I am perfectly in agreement with my hon. Friend, Mr. Rath, when he says that steps ought not to be taken under these regulations. That is a different thing. But to say that these Deo brothers have got good title to the estate of Kalyansingapore is far from facts.”

* **Sriman SASIBHUSHAN RATH Mahasayo** :—“I never said that they had good title or not. Facts being what they are, I say that these brothers are the claimants of the Kalyansingapore estate. Whether they have good title or not should be decided in a court of law and not in the forum of the Legislative Council.”

* **Rao Bahadur C. V. S. NARASIMHA RAJU** :—“My submission is that when the decision of the highest tribunal has given the Maharaja of Jeypore

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good title to the estate, we should not rake up questions with regard to law or facts, especially more so, because all the Courts have decided like that and the father of the Deo brothers as well as themselves were regularly receiving their allowance as a matter of grace from the Maharaja of Jeypore. I may be permitted to mention here that Jeypore was under the Court of Wards till 1895 and the possession of the estate was given over to the Maharaja by the Court of Wards. The father of these young men did petition to the Court of Wards, and they decided that he should receive an allowance of Rs. 1 0 per mensem, and he was receiving it till his death. The question was raked up and, as far as I know, the Maharaja of Jeypore was willing to continue that allowance to these brothers but they rejected the offer; and I do not think anybody will be justified in blaming the conduct of the Maharaja. As a matter of fact, he did offer Rs. 130 to these young men, and are we justified in laying the blame at his door?

"Then, Sir, arises the question whether it is the duty of the Government to maintain order in that troubled area known as the Agency? I am not at all in agreement with anybody for the continuance of the Regulation. Government might have taken other steps and tried these brothers in ordinary courts of law for causing disturbances in that area. As for the allowance granted by the Government, the amount of Rs. 130 is quite reasonable, but the question is whether these young men can live in Berham-pur with that amount."

Sriman SASIBHUSHAN RATH Mahasayo:—"The whole point is that"

* Rao Bahadur C. V. S. NARASIMHA RAJU:—"The question is how far the State is to help these young men from the general treasury when they have foregone a reasonable offer from a private individual. In fact the Deo brothers have given up their claims to the Kalyansingapore estate after the decision of the Privy Council."

* Sriman SASIBHUSHAN RATH Mahasayo—"I do not think any question of giving up their claims arises."

* Rao Bahadur C. V. S. NARASIMHA RAJU:—"Well, Sir, that is my answer to Mr. Rath's charge."

"Now, Sir, the Government of India want to make a distinction between deportation made under the Regulation of 1819 and that made under Regulation II of 1839. The circumstances under which these deportations ought to be made do not make any difference. The same Regulation XIX of 1819 has been referred to in Regulation II of 1839. That means the reasons for which individuals can be deported are the same in both the cases. When that is the circumstance, I am not able to understand why the Government of India are making a distinction and say that the Local Government should pay allowance so far as deportations in the Agency portions are concerned, and the Central Government regarding deportations in the plains. The act of deportation is the same in both cases. I may be permitted to make a reference to Act XXIV of 1839. This is what it says:

'Each of such agents as aforesaid shall have the power of making commitments by warrant under his hand which is possessed by the Governor of Fort St. George in Council by virtue of Regulation II of 1819 of the Madras Code: provided that the third, fifth, sixth and seventh sections of that Regulation shall remain in force and be applicable to commitments under this Act.'

"So, when the other Act is in force verbatim in this province and virtually deportation is made under Regulation II of 1819, I do not see any reason

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why the Government of India should dictate to us and say that we should bear the cost of deportations made under the Regulation of 1839 and that they will bear the cost of deportations made under Regulation II of 1819. Apparently there must be something wrong somewhere. As far as my knowledge goes, there is no difference between the two classes of deportations, and I do not see any reason why the Local Government should not fight against the Government of India and point out to them that their conclusions are not based upon any correct basis."

* The hon. Sir C. P. RAMASWAMI AYYAR :—"So far as the last point raised by my hon. Friend is concerned, I may be permitted to make just one or two remarks. Under the Devolution Rules, Part II, prisoners, excepting State prisoners, are classed among the provincial subjects. It is therefore that State prisoners are brought within the category of central subjects. The maintenance of State prisoners is a charge on central revenues. The question is whether the prisoners brought under the Ganjam and Vizagapatam and Mappilla Acts are State prisoners. The contention that has been urged—urged by one who has got authority to enforce it—is that although the provisions of Act II of 1819, namely, the State Regulations of Madras, are *ipsissima verba* incorporated for defining the procedure under some other enactments, yet the other enactments are separate, and the prisoners who are deported under other Acts are not State prisoners. They are simply Ganjam and Vizagapatam prisoners. No doubt the means of dealing with them or proceeding against them are the same as those under Regulation II of 1819.

"I may say at once, Mr. President, that, if the Government of India should bear these expenses, the Madras Government will not at all be sorry. The proceedings of this Council will be transmitted to the authorities, and we shall further investigate the matter if necessary or possible.

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"As to the other point, it seems to me, Sir, with all possible respect to my hon. Friend from Ganjam, that there has been a certain amount of misconception. Let us exactly understand where we are. These gentlemen, Sunder Narayan Deo and Krishnachandra Deo, were creating a certain amount of trouble which would have given rise to a breach of peace. Let me repeat again the observations with which I originally started, that the Government absolutely repudiate any agreement or compact with the Maharaja of Jeypore to enforce civil rights against the Deo brothers. That is not the function of the Government, and it does not matter whether the Raja gets possession of a certain property or not. But if certain persons obstruct other persons in taking possession of their property, and if there is to be, in an inflammable area of the Agency tracts where there are elements of disorder nascent, a possible breach of peace, it is not only right but it is the duty of the Government to interfere. It may be that undue apprehensions were entertained. But those apprehensions gave rise to the action taken. I desire to reiterate, and I wish to do so as solemnly as possible, that the Government have absolutely no truck with the Maharaja of Jeypore and have no concern to see whether he gets possession of the property and whether he is able to establish his civil rights.

"The father of these two men was getting Rs 130 as a matter of grace. A decree was passed against the father as to these very properties. Then when the sons were proceeded against under the Ganjam and Vizagapatam Acts, the authorities have given exactly the same amount that the father was getting. They are given Rs. 130—Rs. 50 for each and Rs. 30 for house-rent. We paid Rs. 209 for charges for removal of the brothers to Vizag

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and so forth. I want to assure this honourable House that to give exactly the same amount as the father of these people was getting when he was living, is not treating them harshly. I may say this: My hon. Colleague in charge of the Agency tracts will go into the whole question, and if he thinks that the charges given are not commensurate under the present circumstances or for that locality, he is at liberty to revise it. All I can say is that the Government cannot be charged with undue hardship, if they give the brothers the same amount which their father was getting."

Mr. P. ANJANFYULU:—"From what I can gather it would appear, I speak subject to correction and I request the hon. the Law Member to verify, that the father was getting not only Rs. 130 but he was getting Rs. 450 as manager in Jeypore."

* The hon. Sir C. P. RAMASWAMI AYYAR — 'Whether he got any money as a manager somewhere or he made money by speculation, it does not matter to the Government. The Deo brothers are given Rs. 130. The State has absolutely no obligation in the matter except to provide suitably for their maintenance under the Act.'

Mr. P. ANJANFYULU.—"They were having a certain standard of life and that standard of life was determined by the amount of money they were making both in the service of the Maharaja and otherwise. The father was a manager under the Maharaja of Jeypore and thus he was getting Rs 400 or so. He was making money in other ways also. The standard of living of these brothers was proportionate to the amount of money their father was earning monthly. Now on account of certain apprehensions, they are made State prisoners, and my hon. Friend, Mr. Rath, informs the Government that their present comforts cannot be met with the amount of money the State is giving them, and he gave the House a sorry tale, that even for medical expenses private charity had to be sought. It is really a very appealing case and in that view and also in view of the fact that the cost of living has enormously increased now, the Government may be pleased to accept the suggestion of my hon. Friend, Mr. Rath, and enhance the allowance that is being granted to them."

Mr. S. SATYAMURTI:—"I just want to make three or four observations. I am not concerned as to the motives or the intentions of the Government in detaining these people outside a particular area. I will take the assurance of the hon. the Law Member that they have no truck with the Maharaja of Jeypore. May I suggest to him however that Governments, like Caesar's wife, must be above suspicion, and if the Government are willing to employ an antediluvian regulation more than a century old for the purpose of keeping two fellows out of the ordinary jurisdiction in which they would live, I would suggest to the hon. the Law Member that although he might speak up to my hon. Friend here and ask him not to make certain statements, there are people outside this Council who will say that the Government are playing into the hands of the Maharaja of Jeypore and my hon. Friend cannot go about all through the Presidency and Ganjam and Vizagapatam telling everybody that the allegation is untrue. I therefore ask my hon. Friend, the Law Member, to make a categorical statement as to the reasons why these unfortunate fellows are being detained under this regulation. Sir, if you look at the regulation. . . ."

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* The hon. Sir C. P. RAMASWAMI AYYAR :—“ With great respect, I suggest to my hon. Friend that, if he has to elicit any definite information on this matter, he may put a question. Then I shall go through the papers and give an answer. The only point for which I was prepared was the question of allowances to these persons. I am not prepared to go into the whole question and to state what were the circumstances under which they are detained. If my hon. Friend wants to get information, let him put a question.”

Mr. S. SATYAMURTI :—“ I do not want to get information now. I ask the Government merely this question as to why, if it is a case of a private dispute between the Maharaja of Jeypore and these two people—there are many clients who hopelessly fail in three courts and who are still advised that they have a splendid case and they go on borrowing money—the Government took action under the regulation. I therefore suggest that to say that these people have no claim does not dispose of the matter. I want to know really from my hon. Friend why this regulation should be used in the case of individuals against whom there may not be sufficient ground to institute proceedings. It is inadvisable and improper that in such a case power should be taken and the case proceeded against from an authority from the Governor-in-Council. I therefore take it that this action under which these people are deprived of their liberty is an action for which the Government of Madras are solely responsible and wholly responsible. If they have taken the initiative and they have detained these people, I should like to know from the hon. the Law Member whether he considers that the argument that the Maharaja of Jeypore was willing to give the father of these people Rs. 130 a month and that the Government are paying the same amount, disposes of the matter. I submit it does not, for these reasons. Because this regulation in its preamble says :

‘ whereas the ends of justice also require that due attention be paid to the health of every such person confined under this regulation ’

“ And, may I ask him whether he considers the State has discharged its duty to look after the health of these unfortunate men seeing that they had to rely upon private charity for medical help? Then, Sir, the preamble proceeds further and says that

‘ suitable provision be made for his support according to the rank in life to his wants and to those of his family ? ’

“ I should like the hon. the Law Member to say whether he considers Rs. 100 a month sufficient for the support of these two men— I do not know if they are married, probably they are—and their family according to their rank in life, their own wants and to those of their family. I would be very much surprised if the hon. the Law Member would investigate the matter and be able to satisfy this House that Rs. 100 would meet the wants of these people. That seems to be a matter on which the Government are bound to take action, if they are responsible for keeping these people away. I agree with the hon. Leader of the Opposition that the Government should not use the power vested in them to proceed against two people against whom there are no reasons of State, on the suspicious allegation of the Maharaja of Jeypore that some people refuse to pay rents to their landlords. Such things happen everywhere. Are the Government going to rescue all landlords from recalcitrant tenants and help the landlords in realizing the rents due to them quickly from their

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tenants? If my hon. Friend wants to justify the action taken under this antediluvian regulation, let him at least be generous in the treatment of these people and let them be given such grants as will keep them in their status and as will not give room for suspicion that the Government are being used to oppress and harass these people against whom they have no case and against whom the Maharaja of Jeypore has a great grudge."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I did not expect to intervene in this debate. But lest it should be said that I, in another place, had taken an opportunity of criticising certain procedure that is going on, I think it is fair that I should state what I have to say. * Sir, to-day another occasion has arisen for my complaint that hon. Members in this House are doing things behind the back of people. A very serious charge is levelled against the Maharaja of Jeypore behind his back and against the Government. No doubt the Government can take their cudgels. The hon. Member from Ganjam said that there was conspiracy between the Government and the Maharaja of Jeypore to coerce a private individual to enter into a compromise."

* Sriman SASIBHUSHAN RATH Mahasayo :—" I never said there was a conspiracy. What I said does not deserve all the comments the hon. Member, Sir Venkatareddi Nayudu, is making on it. I simply said that inferences are being drawn that the Government came in as a third party in a private matter. This is a private dispute between the Maharaja of Jeypore and the Deo brothers of Kalyansingapur. The Government ought not to come in here. The Maharaja of Jeypore ought to go to a court of law to establish his claim to the estate. I said in passing that inferences are being drawn that the Deo brothers who are given a very scanty allowance by the Government, are being coerced directly or indirectly to accept the terms of the compromise which has been set on foot. The Maharaja of Jeypore has offered certain terms of compromise and that through the Agent to the Governor, Mr. Rutherford. It is certainly unjustifiable that the hon. Member, Sir Venkatareddi Nayudu, should be making capital of my remarks in order to justify a speech he made somewhere else. Really, we cannot have everybody against whom we speak in Council to be present in the Council."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I do not know whether my ears have deceived me. I heard the hon. Member from Ganjam say that he had some papers in his pocket which clearly induced him to believe that there was a conspiracy."

* Sriman SASIBHUSHAN RATH Mahasayo :—" I never said there was a conspiracy."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" The word 'conspiracy' may not have been used. He has clearly made the House to understand that there is something wrong between the Government on the one hand and the Maharaja of Jeypore on the other, the result of which is to coerce private persons to come to some terms. I only want the hon. Member to withdraw what he said and that such statements should not be made in this House."

* Sriman SASIBHUSHAN RATH Mahasayo :—" I hold still that the Government are wrong in making these people State prisoners and that the Maharaja of Jeypore is wrong in asking the support of the Government for treating them as State prisoners."

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"Day before yesterday, when this question came on, it is the hon. the ⁴ p.m. Revenue Member that said that the initiative came from the Maharaja of Jeypore to treat these people as State prisoners."

* The hon. Mr. N. E. MARJORIBANKS :—"I said nothing of the kind, Sir."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"Mr. President, the hon. Member for Ganjam has shifted his ground by referring to the question of proprietary of making these persons State prisoners. I never spoke one word about it. I never said anything against the Maharaja of Jeypore. I was only complaining that, when we were under the protection of these walls, we should not allow our privilege to be used for purposes such as these. I say that, for the dignity of this House, it is only right and essential that we should keep within certain bounds."

Mr. P. ANJANEYULU :—"On a point of order, may I know with due respect to you, Sir, whether hon. Members are permitted to pass remarks which we expect should come from the chair and whether they should not confine themselves to the discussion that is going on?"

* The hon. the PRESIDENT :—"It is not a point of order. It is on a matter of policy that Sir K. V. Reddi said that."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"I have only one other point to refer to. Hon. Members to whom I am accustomed to listen in this House, who were very eloquent in season and out of season as guardians of the taxpayers' poor money, now come forward with a request to the Government that Rs. 130 a month of this very taxpayers' money is not sufficient for the maintenance of two prisoners but that the hon. the Law Member, the Revenue Member and also the hon. the Finance Member, all these high authorities should go to their rescue and spare more money of the taxpayer."

Mr. S. SATYAMURTI :—"Or send them back."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"I have not the slightest objection, Sir. Whether they are sent to this place or to their own place, I am only pointing out this. I only request the hon. Members on the other side of the House that they will remember their own sayings, their repeated statements made in this House that so many things are made to depend upon the people's money. Let that not be forgotten on this occasion also."

The motion for reduction was then by leave withdrawn.

The demand was put and carried, and the grant was made.

* The hon. Sir C. P. RAMASWAMI AYYAR :—"On the recommendation of His Excellency the Governor, I move

'that the Government be granted an additional sum of Rs 50 under Grant No. XIII—Jails—'25. Jails and Convict Settlements'—under a separate sub-head "Maintenance of convicts conditionally released from imprisonment" to be opened under the new minor head "Charges on account of Mappilla and other State prisoners".'

"This is frankly, Sir, in order to place before the House what the Government propose to do as a matter of policy. In the case of certain Mappillas, it has been decided to release them before their sentence expires. In the case of one, there are three more years of sentence, while in another

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there are seventeen years more to serve. For many reasons, which I shall not detail here, but which have been elucidated at great length in the course of the Budget debates and other debates, it is considered expedient that they may be released but should not be allowed to go back to Malabar till the atmosphere there has become calmer. If they are asked to live elsewhere than in their own homes, the suggestion is that they should be maintained, and it is in order to provide for the maintenance of two such prisoners that the demand is moved, and as it enunciates a policy which the House is entitled to debate I move this motion."

* The hon. Mr. N. E. Marjoribanks seconded it.

Mr T. M. MOIDU SAHIB :—" Mr President, Sir, I avail myself of this opportunity to impress upon the hon. the Law Member the necessity for giving an increment (hear, hear) to all those Mappilla State prisoners. It is known to everybody in this House that Rs. 8 or Rs. 10 is hardly sufficient even for one meal a day. I have got a case here of one Ahmed who has been in jail for no reason but that he could not give security in a security proceedings and later on he was released. During the Mappilla rebellion or soon after it, he was again sent to jail as a State prisoner. Till now, nobody knows what is the fault of the man. Along with him, three others also were sent to jail. Very recently, these four gentlemen have been released and sent to different districts, and this particular prisoner, Ahmed, is living in Madras. I had occasion to see him so many times and he was bitterly complaining to me that a sum of Rs. 8 is not at all sufficient "

* The hon. Sir C. P. RAMASWAMI AYYAR —" May I know whether this gentleman, Mr. Ahmed, is not a State prisoner under Regulation 11 of 1819? "

Mr. T. M. MOIDU SAHIB :—" Yes, he is a State prisoner. I want to raise that question in connexion with this demand. Recently, I was told he submitted a memorial to the hon. the Law Member, and I do not know whether any reply has been sent; but the rumour is that his memorial has been rejected and that he will be given only Rs. 8 per mensem. Under these circumstances, I request the hon. the Law Member to consider the case of poor Mappilla State prisoners and see that they are given at least Rs. 20 or Rs. 25."

* The hon. Sir C. P. RAMASWAMI AYYAR —" Sir, I have listened to the hon. Member from Malabar. I may frankly tell you that I do not remember the particular case he referred to, but if he will give me particulars about this person, Mr. Ahmed, I shall look into the matter. About the rumour, all that I can say is that I know no more than he; and, if orders have been passed, I cannot help it. If orders have not been passed, anything that Mr. Moidu wishes to say I shall always be happy to listen to. That is all I have to say."

* Mr. J. A. SALDANHA :—" Mr. President, Sir, I have to draw the attention of the hon. Member who is in charge of this portfolio to a political *detenue* or prisoner at Mangalore, a Mappilla woman. I asked a question about this woman, Sir. I am a victim of her frequent visits. She is an old hag." (Loud laughter.)

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Mr. President, am I asked to give police protection to my hon. Friend? "

* Mr. J. A. SALDANHA :—" I do not seek police protection from Government, because she is such a poor miserable woman. She must move

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anybody to pity. She is an old woman that is paid Rs. 12 for being kept at Mangalore. I do not want that there should be an increment in her allowance. What I want to suggest is this: why this old woman who is hopelessly helpless should be kept at Mangalore for more than three years, at least since the Mappilla rebellion, unprotected and underfed and allowed to go to every Member of the Legislative Council to represent her case, except only to victimise anybody who might be willing to help her? I have drawn the attention of the local authorities there and they said they are quite helpless because Government said that she cannot be allowed to return to Malabar. I cannot remember her name, but I drew the attention of Government in my interpellation with regard to this woman. It is not necessary at all to keep a woman who is very old and helpless, any longer at Mangalore as a political prisoner at the expense of Government. Also I must point out that she is a source of a lot of nuisance to people whom she expects to help her. Moreover, she talks a gibberish of Malayalam. I got some Malayalam friends of mine to speak to her and to ask her questions. They could not understand her language, nor could they know what she wanted. After all, I got some information about her from the Collector's office. I only appeal that her case might be considered sympathetically."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Mr. President, let me begin by deeply sympathising with my friend from Mangalore as to the attentions to which he has been subjected on the part of that old Mappilla woman. I may say that the facts are not quite as simple as he imagines. There are so far as I can recollect certain papers referring to that very old and apparently helpless Mappilla woman, certain facts which, at all events, explain what the Government have done. But, Sir, if, instead of remembering vividly the attentions which have embarrassed my hon. Friend, he had remembered her name, it would have been perhaps more to the point and easier for me to get the papers necessary. If he will put a formal question on the matter"

* Mr. J. A. SALDANHA :—" I have put a question."

* The hon. Sir C. P. RAMASWAMI AYYAR :—" Very well, that question will be answered, but that matter cannot be raised just now. I trust that the hon. Member will bear with that Mappilla woman from now until March."

Mr. K. UPPI SAHIB :—" When I last raised a debate, the hon. the Law Member replied that I was dealing with State prisoners. If I remember correctly, it was answered in this House by the then Home Member, Sir Arthur Knapp, that there was only one Mappilla who had been dealt with under the Mappilla Act. All the others were dealt with under the said Regulation II of 1819. Of these four Mappillas to whom I have referred, one is this Ahmed, and there are three others who are left in three other places. About one hundred people have been dealt with under the State Prisoners' Act. Among those who have been dealt with under the State Prisoners' Act, there are people who have been tried in law courts and acquitted of the charges against them. What I suggest is that the hon. the Home Member will kindly go through the cases of these four people and see whether there is any case against them and if not, to release them, to use his mercy, and allow them to go home and not to make the taxpayers pay for their livelihood and allow their dependents to suffer at home."

* Rao Bahadur O. V. S. NARASIMHA RAJU :—" Mr. President, Sir, the main issue that was raised in this resolution of the grant is whether the Mappilla

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prisoners now in jails should be set at liberty on condition of their not going to their districts, and whether they should be allowed any maintenance grant during their stay outside their districts. Sir, the Mappilla rebellion took place long ago and every one who has visited the district can understand that there is not any excitement now in the district. When this is the state of things, I do not see any reason why there should be the restriction that they should not go back to their districts. The hon. the Law Member has not explained to the House the reasons why Government consider that at this stage, even if they be released, it is not desirable that they should be allowed to go straight on to their homes. From the standpoint of the general taxpayer, this question requires closer examination by the Government. We do not for a moment suggest that the prisoners should continue as prisoners in the jails instead of being set at liberty except on condition of their not going to their districts. Perhaps even from that standpoint, it is a desirable thing.

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"I think the hon. the Law Member shall have a very strong case to put before the House to explain the reasons why this Government still consider that these convicts should not go back to their own districts. I believe, Sir, there is no necessity for suspecting these people any longer. It is better that they are sent back to their districts and allowed to pursue their avocations peacefully, and that this burden on the taxpayer is removed as early as possible. I hope the Government will further examine the question."

The hon. Sir C. P. RAMASWAMI AYYAR :—"Sir, as the hon. the Leader of the Opposition has stated, the main issue that is raised on this grant is the one adumbrated in his speech. If the Government could be satisfied that the district has returned to peaceful conditions and these people might be allowed to go back, then I submit that the Government will be the foremost party to see that there is no further drain or charge on the taxpayer. But I think I can ask hon. Members from Malabar to speak on this matter. Our opinion is that the time is not yet. But the question will, of course, from time to time be examined and Government will always keep an eye on every aspect of the matter. If the district has settled down to normal conditions, by all means restore normal procedure but until that is done, it is too great a risk for any Government to run."

* Rao Sahib P. V. GOPALAN :—"I may mention to the House that the grandsons of the Mambaram Thangal who was deported years ago into Arabia, were not permitted to enter into Malabar, lately when they came to Bombay and Colombo and applied to the Madras Government for passports. If this action of the Madras Government is seriously considered and I have every reason to believe that the Government adopted this course only after consulting the Malabar representatives of this hon. House, as one coming from Malabar, I may add that until we realize that the conditions in Malabar especially Ernad and Walluvanad, have grown quite normal, it will not be advisable on the part of the Government to set the political prisoners wholesale at liberty. I object strongly for their wholesale release and return to Malabar, till conditions in Malabar become normal."

The demand was put and carried and the grant was made.

The House adjourned to meet again at 11 a.m. on Tuesday, the 2nd March 1926.

R. V. KRISHNA AYYAR,
* Secretary to the Legislative Council.

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APPENDIX

[Vide answer to question No. 1474 asked by Mr. K. Raghuchandra Ballal at the meeting of the Legislative Council held on the 15th February 1926, page 587 supra.]

Statement of murder cases reported in Karkal taluk from 1922 to November 1925.

Year.	Cases.				
	Reported	Charged.	Con- victed.	Dis- charged.	Un- detected.
1922 ..	3	2	1	1 *	1
1923 ..	3	2	..	2 †	1
1924 ..	3	1	..	1	2
1925 ..	2	2	1	1	..
	11	7	2	5	4

* The conviction by the Sessions Judge was set aside by the High Court

† The conviction in one of the cases by Sessions Judge, South Kanara, was set aside on appeal by the High Court.

